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BY

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PREFACE

The use of selected material from primary sources to illustrate and enliven the narrative of the textbook has become so general and has proved so valuable that there is no further need for apology or explanation in the introduction of a book of historical readings. In selecting the material for the present volume the author has sought to give the student a sense of the number and variety of sources — acts of Congress, decisions of courts, proclamations and messages of presidents, records of debates, party platforms, charters, pamphlets, memoirs, diaries, letters, plays, poems, etc. — that are available for the illustration of American history.

A unique feature of the book is the frequent employment of two or more extracts for the elucidation of a single topic, these extracts either furnishing cumulative evidence from different sources or presenting conflicting or divergent views of different authors. For example, Nos. 14, 17, 37, 40, 45, 68, 81, 91, 93, 104 illustrate the type of the "cumulative group of extracts," while Nos. 24, 30, 34, 39, 59, 62, 74, 94, 106, 114, 116 represent the "conflicting group." The value of such groups is twofold: they not only help to save the source-book from the generally merited reproach of scrappiness, but they furnish the student with just what he is likely to miss in the study of the textbook, namely, the realization that on every important historical and social question there is and has been a variety of opinion and judgment.

Although the readings can be used to advantage with any textbook on the subject, they have been planned especially as a companion volume to the author's "American History," following the text chapter by chapter and section by section. There are constant references to the History in the notes, and beneath each marginal title of the Readings a number in brackets refers to the page of the History where the subject illustrated by the reading is treated in the narrative.

A few of the extracts are taken from secondary works; and due acknowledgment is made to D. Appleton and Company for the passages from Professor McMaster (Nos. 45, 70), to the Century Company for the quotations from De Tocqueville (Nos. 67, 74) and Nicolay and Hay (No. 87), to Houghton Mifflin Company for the description from John S. Wise (No. 95), to Charles Scribner's Sons for the pages from Robert Louis Stevenson (No. 112), and to Messrs. Ziegler and McCurdy for the extracts from Alexander H. Stephens (Nos. 89, 97).

It is hoped that the detailed Table of Contents will serve the teacher as a working bibliography of the sources of American history. It can be best supplemented by the comprehensive "Classified Bibliography" in Part II of Channing, Hart, and Turner's "Guide to the Study and Reading of American History" (Ginn and Company, 1912). The reference in the case of each extract in the Readings is to the publication in which the source from which that extract is taken is most available for the teacher. Hence compilations of documents and editions of statesmen's works have been freely cited. The original spelling, punctuation, capitalization, and syntax (or the want of it) have been left unchanged in the Readings.

The author wishes to express his thanks to the efficient staff of the loan and reference departments of the library of Columbia University for their constant and willing courtesy in supplying his needs, and to Professor James Harvey Robinson, the general editor of this series of textbooks and readings, for his sympathetic interest and valued suggestions at all stages of the work.

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PART I. THE ESTABLISHMENT OF THE ENGLISH

CHAPTER I

THE NEW WORLD

The Discovery of America

1. Geography before Columbus [4]

Although Ptolemy's "Geography," which was regarded as the highest authority, perpetuated through the Middle Ages the tradition that the western boundary of the world was the "River Ocean," into whose forbidden waters daring sailors sometimes ventured through the Pillars of Hercules (the Strait of Gibraltar), nevertheless hints occur in ancient as well as in mediæval writers that these waters were the same as those which washed the eastern coast of Asia, and that new lands might be found to the west of the Pillars of Hercules. Strabo, a Greek geographer of the first century A.D., says:

> The temperate zone makes a continuous circle by uniting with itself, so that, if the great size of the western sea did not prevent, we might sail from Spain to India on the same parallel [of latitude] . . . and it is possible that within the same temperate zone there may be two or even three inhabited lands, and particularly in the neighborhood of the parallel drawn through Athens.

Shortly after Strabo, the Roman philosopher and poet Seneca (3 B.C.–63 A.D.) wrote the following prophetic lines in his play "Medea":

> In late years the time will come when Ocean will loose the bands of nature, and the earth will stretch out huge, and the

sea will disclose new worlds, nor will Thule [the northern British islands] be the last [remotest] of lands.

Only a few years before Columbus sailed, a Florentine poet, named Pulci, wrote the following striking prophecy of a western voyage:

> . . . his bark
> The daring mariner shall urge far o'er
> The western wave, a smooth and level plain.
> . . . . . .
> And Hercules might blush to learn how far
> Beyond the limits[1] he had vainly set
> The dullest sea-craft soon shall wing her way.
> We shall descry another hemisphere.
> . . . . . .
> At our antipodes are cities, states,
> And throngèd empires ne'er divined of yore.

The following extract shows how ecclesiastical authority discouraged scientific speculation and experimentation in the Middle Ages. Ambrose, Archbishop of Milan and one of the four great fathers of the Latin Church, warns his generation of the futility of scientific inquisitiveness in these words (389 A.D.):

> To discuss the nature and position of the earth does not help us in our hope of the life to come. It is enough to know what Scripture states, that "He hung up the earth on nothing" (Job xxvi, 7). Why then argue whether He hung it up in air or upon the water, and raise a controversy as to how thin air could sustain the earth; or why, if upon water the earth does not go plunging down to the bottom. . . . The earth endures stable upon the unstable and void because the majesty of God sustains it by the law of His will.

At no time during the Middle Ages did educated men lose the tradition, derived from the ancient Greeks, that

[1] The Pillars of Hercules, or Strait of Gibraltar.

the earth was a sphere. "The Venerable Bede" of Northumbria, the first of the English historians, declared in his work "On the Nature of Things," in the eighth century, that "the earth . . . is not perfectly round, owing to the inequalities of mountains and plains," but that, "if all its lines be considered, it has the perfect form of a sphere" (ch. xlvi). In an Anglo-Saxon treatise of the tenth century, based on Bede, we read:

> On the second day God made the heaven, which is called the firmament, which is visible and corporeal; and yet we may never see it on account of its great elevation and the thickness of the clouds, and on account of the weakness of our eyes. The heaven encloses in its bosom all the world, and it ever turns about us, swifter than any mill-wheel, all as deep under this earth as it is above. It is all round and entire and studded with stars.
>
> Truly the sun goes by God's command between heaven and earth, by day above and by night under the earth. . . . The sun is very great: as broad she is, from what books say, as the whole compass of the earth; but she appears to us very small, because she is far from our sight. . . . The moon and all the stars receive light from the great sun. . . .

Another Englishman, Alexander of Neckam, writing at the close of the twelfth century, gives us the following description of the compass:

> The sailors, as they sail over the sea, when in cloudy weather they can no longer profit by the light of the sun, or when the world is wrapped in the darkness of night, and they are ignorant whither the ship's course is directed, touch a needle to the magnet; the needle will then whirl around in a circle until, when its motion ceases, its point is directed to the north.

2. The "Capitulation" of April 17, 1492

The voyages of Columbus roused tremendous enthusiasm among his contemporaries. Mr. Henri Harrisse has collected five hundred and seventy titles of histories,

poems, plays, prophecies, letters, and narratives written by the men of Columbus' day, dealing with the great navigator's achievement. Another scholar, Justin Winsor, notes over sixty existing authentic writings of Columbus himself. The "Capitulation," or terms of agreement between Columbus and the Spanish sovereigns, signed at Granada, April 17, 1492, were as follows:

The things *supplicated* which your Highnesses give and declare to Christopher Columbus in some satisfaction for what he is to discover in the oceans, and for the voyage which now, with the aid of God, he is about to make therein in the service of your Highnesses, are as follows:—

First, that your Highnesses as Lords that are of the said oceans make from this time the said Don Christopher Columbus your Admiral in all those islands and mainlands which by his hand and industry shall be discovered or acquired in the said oceans during his life, and after his death his heirs and successors, from one to another perpetually. . . .

Likewise, that your Highnesses make the said Don Christopher your Viceroy and Governor General in all the said islands and mainlands, . . . and that for the government of each one and of any one of them, he may make selection of three persons for each office, and that your Highnesses may choose and select the one who may be most serviceable to you. . . .

Item, that all and whatever merchandise, whether it be pearls, precious stones, gold, silver, spices, and other things whatsoever . . . which may be bought, bartered, discovered, acquired, or obtained within the limits of the said Admiralty, your Highnesses grant henceforth to said Don Christopher, and will that he may have and take for himself the tenth part of all of them . . . the other nine parts remaining for your Highnesses. . . .

Item, that in all the vessels which may be equipped for the said traffic . . . the said Admiral may if he wishes contribute and pay the eighth part of all that may be expended in the equipment; and also that he may have and take of the profit the eighth part of all which may result from such equipment. . . .

These are executed and despatched with the responses of your Highnesses at the end of each article in the town of Santa Fé de la Vega de Granada, on the 17th day of April, in the year of the nativity of our Savior Jesus Christ 1492. I, the King. I, the Queen. By order of the King and of the Queen.

John de Coloma. Registered, Calçena.

3. Columbus' letter to Luis de Santangel, February 15, 1493

[7]

The first official account of the immortal voyage of 1492 is contained in a letter written by Columbus on February 15, 1493, when he was off one of the Azores in his tiny caravel, the *Niña*, on his way back to Spain. The letter was addressed to Luis de Santangel, one of King Ferdinand's courtiers.

Sir: As I know that you will have pleasure from the great victory which our Lord hath given me in my voyage, I write you this by which you shall know that in thirty-three days I passed over to the Indies with the fleet which the most illustrious King and Queen, our Lords, gave me; where I found very many islands peopled with inhabitants beyond number. And of them all I have taken possession for their Highnesses, with proclamation and the royal standard displayed; and I was not gainsaid. To the first which I found I gave the name Sant Salvador, in commemoration of His High Majesty who hath marvelously given all this: the Indians call it Guanaham. The second I named the Island of Santa Maria de Concepcion, the third Ferrandina, the fourth Isabella, the fifth La Isla Juana.[1] . . . When I reached Juana, I followed its coast westwardly and found it so large that I thought it might be mainland, the province of Cathay. And as I did not thus find any towns or villages on the sea-coast, save small hamlets with the people of which I could not get speech, because they all fled away forthwith, I went on further in the same direction, thinking I should not miss of great cities or towns. . . . I sent two men into the country to learn if there were a king or any great cities. They

[1] Cuba.

travelled for three days and found innumerable small villages and a numberless population but nought of ruling authority. . . . I followed the coast eastwardly for a hundred and seven leagues as far as where it terminated; from which headland I saw another island to the east . . . to which I at once gave the name La Spañola.[1] . . . The lands are all most beautiful . . . and full of trees of a thousand kinds, so lofty that they seem to reach the sky. And I am assured that they never lose their foliage; as may be imagined, since I saw them as green and as beautiful as they are in Spain during May. . . . And the nightingale was singing, and other birds of a thousand sorts, in the month of November. . . . In the earth are many mines of metals; and there is a population of incalculable number. . . . The people have no other weapons than the stems of reeds in their seeding state, on the end of which they fix little sharpened stakes. Even these they dare not use; for many times has it happened that I sent two or three men ashore to some village to parley, and countless numbers of them sallied forth, but as soon as they saw those approach they fled away in such wise that even a father would not wait for his son. And this was not because any hurt had ever been done to any of them: — on the contrary, at every headland where I have . . . been able to hold speech with them, I gave them everything that I had, as well cloth as many other things, without accepting aught therefore; — but such they are, incurably timid. . . . They are straightways content with whatsoever trifle of whatsoever kind be given them in return for it [their gold and cotton]. And I forbade that anything so worthless as fragments of broken platters and pieces of broken glass and strap buckles should be given them. . . . They believed very firmly that I, with these ships and crews, came from the sky. . . . Wherever I arrived they went running from house to house and to the neighboring villages, with loud cries of "Come! come to see the people from Heaven!" . . . This is a land to be desired, — and once seen, never to be relinquished, — in which, in a place most suitable and best for its proximity to the gold mines and for traffic with the mainland

[1] Hispaniola or Hayti.

both on this side [Europe] and with that yonder belonging to the Great Can [China], I took possession of a large town, which I named the city of Navidad. And I have made fortification there . . . and I have left therein men enough, with arms and artillery and provisions for more than a year . . . and a great friendship with the king of that land, to such a degree that he prided himself on calling and holding me as his brother. . . . In another island, which they assure me is larger than Española, the people have no hair. In this there is incalculable gold; and concerning this and the rest I bring Indians with me as witnesses. . . . And I believe that I have discovered rhubarb and cinnamon, and I shall find that the men whom I am leaving there will have discovered a thousand other things of value. . . . And in truth I should have done much more if the ships had served me as well as might reasonably have been expected. . . . Since thus our Redeemer has given to our most illustrious King and Queen, and to their famous kingdoms, this victory in so high a matter, Christendom should have rejoicing therein, and make great festivals and give solemn thanks to the Holy Trinity for the great exaltation they shall have by the conversion of so many peoples to our holy faith; and next for the temporal benefit which will bring hither refreshment and profit, not only to Spain but to all Christians. This briefly, in accordance with the facts. Dated on the caravel off the Canary Islands, the 15 February of the year 1493

At your command

The Admiral

4. Columbus complains to his son Diego, December 1, 1504

[9]

The last years of Columbus' life were clouded with disappointment, poverty, and sickness. He was greedy of both fame and gold. He had written to his sovereigns on the return from his fourth and last voyage to the Indies (1503) praising gold like a miser. Now, a year later, he writes to his son Diego, who is at the court. His revenues of "tenths and eighths" have not been given him (No. 2, p. 6); the trade of the Indies has been seized by covetous rivals. He hopes in the justice of "the Queen our Lady" to remedy

his wrongs. But four days before his letter was penned Queen Isabella had died (November 26, 1504). Two years later (May 20, 1506) the great admiral died in poverty and obscurity at Valladolid. The letter to Diego follows:

Very dear Son:

Since I received your letter of Nov. 15 I have heard nothing from you. I wish that you would write me more frequently. . . . Many couriers come daily and the news is of such a nature that in hearing it all my hair stands on end, it is so contrary to what my soul desires. May it please the Holy Trinity to give health to the Queen our Lady that she may settle what has been placed under discussion. . . . It appears to me that a good copy should be made of the chapter of that letter which their Highnesses wrote me, where they say they will fulfil their promises to me and will place you in possession of everything; and that this copy should be given to them with another writing telling of my sickness and that it is now impossible for me to go and kiss their Royal feet and hands, and that the Indies are being lost and are on fire in a thousand places, and that I have received nothing and am receiving nothing from the revenues derived from them . . . and that I am living upon borrowed funds. . . . We must strive to obtain the government of the Indies and then the adjustment of the revenues. . . . Today is Monday. I will endeavor to have your uncle and brother start [for the court, to "kiss the hands" of the sovereigns] tomorrow. Remember to write me very often. . . . May our Lord have you in His holy keeping

Done at Seville, December 1

Your father who loves you as himself

S
S A S
X M Y
Xp̃o Ferens[1]

[1] An enigmatical anagram with which Columbus usually signed his letters. For conjectures as to its meaning see Thacher, Christopher Columbus, Vol. III, pp. 454–458.

A Century of Exploration

5. Magellan's voyage around the world, 1519-1522 [14]

Anthoyne Pigapheta, a knight of Rhodes, finding himself in Spain "in the year of the Nativity of our Lord 1519,"[1] out of sheer curiosity ("to experiment and go and see with mine own eyes a part of the awful things of ocean") joined the expedition of Magellan that was destined to make the first voyage around the world. On his return to Lisbon in 1522, Pigapheta sent to his Lord Philip, Grand Master of Rhodes, a long letter recounting his ample experience of "the awful things of ocean."

Monday, the day of St. Laurence, the 10th of August [1519] . . . the fleet, provided with what was necessary for it, and carrying crews of different nations to the number of 237 men in all the five ships, was ready to set sail from the mole of Seville, and firing all the artillery, we made sail only on the foremast, and came to the end of a river named Betis, which is now called Guadalcavir. . . . After that we had passed the equinoctial line toward the south, we navigated between south and west; and we crossed [the Atlantic] as far as a country named Verzin [Brazil]. . . . At this place we had refreshments of victuals like fowls and meat of cows, also a variety of fruits of singular goodness. . . . The people of the said place gave, in order to have a knife or a fish-hook, five or six fowls, and for a comb they gave two geese, and for a small mirror or a pair of scissors they gave so much fish that ten men could have eaten of it. . . . For a king of cards, of the kind which they used to play with in Italy, they gave five fowls and thought they had cheated me. . . . They have boats which are made of a tree, all in one piece, which they call canoo. These are not made with iron instruments, for they have not got any, but with stones like pebbles; and with these they plane and dig out these boats. Into these thirty or forty men enter, and their oars are made like iron shovels; and those who row these oars are black people, quite naked and shaven, and look like enemies of hell. . . . Departing thence as far as 49½ degrees in the Antarctic heavens we

entered a port to pass the winter, and remained there two whole months without ever seeing anybody. However one day we saw a giant on the shore dancing and leaping and singing, and whilst singing he put the sand and dust on his head . . . and he raised one finger on high, thinking that we came from heaven. He was so tall that the tallest of us came only to his waist. He had a large face painted red all around, and his eyes were painted yellow all around them, and he had two hearts painted on his cheeks; he had but little hair on his head, and it was painted white. . . . The captain caused food and drink to be given to this giant, and they showed him some things, among them a steel mirror. And when the giant saw his likeness in it, he was greatly terrified, leaping backwards so that he made three or four of our men fall down. . . . And when he danced he caused the earth to sink a palm's depth at the place where his feet touched. He was a long time with us, and at the end we baptised him and gave him the name of John. This giant pronounced the name of Jesus, the Pater Noster [Lord's prayer], and the Ave Maria [Hail, Mary!] as clearly as we did: but he had a terribly strong and loud voice. . . .

After taking the course to the 52d degree of the said Antarctic sky . . . we found by miracle a strait which we called the Cape of the Eleven Thousand Virgins; this strait is 110 leagues long . . . and it issues in another sea which is called the peaceful sea [Pacific]. It is surrounded by very high mountains covered with snow, and it was not possible to anchor with the anchors, because no bottom was found. . . . Wednesday, the 28th of November 1520, we came forth out of the said strait, and entered into the Pacific sea, where we remained three months and twenty days without taking in provisions, and we ate only old biscuits reduced to powder and full of grubs . . . and we drank water that was yellow and stinking. We also ate the ox-hides which were under the main yard, so that the yard should not break the rigging: they were very hard on account of the sun, rain, and wind, and we left them for four or five days in the sea, and then we put them a little on the embers, and so ate them; also the sawdust of wood, and rats which cost half a crown each: moreover enough of them were not to be got. . . .

Besides those that died, twenty five or thirty fell ill of divers sicknesses both in the arms and legs and other places, in such manner that very few remained healthy. However, thanks be to the Lord, I had no sickness. . . . And if our Lord and His Mother had not aided us . . . we should all have died of hunger in this vast sea, and I think that man will never again undertake to perform such a voyage. . . .

Saturday, the 16th of March 1521, we arrived at daybreak in sight of a high island . . . named Zamal.[1] The next day the captain-general . . . set up two tents on shore for the sick, and had a sow killed for them. . . . The people became very friendly and familiar with us, and the captain seeing that they were of this good condition . . . conducted them to the ship and showed them all his goods, cloves, cinnamon, pepper, nutmeg, ginger, mace, gold, and all that was in the ship. He also had some shots fired with his artillery, at which they were so much afraid that they wished to jump from the ship into the sea. . . . These people are tawny, fat, and painted, and they anoint themselves with the oil of coconuts and sesame to preserve them from the sun and wind. Their hair is very black and long, reaching to the waist, and they carry small daggers and knives ornamented with gold, and their boats are like ours. . . . They only half cook their victuals, and salt them very much, which makes them drink a great deal: and they drink much with reeds, sucking the wine from vessels. Their repasts always last from five to six hours. . . .

After recounting the death of Magellan ("our mirror, light, comfort, and true guide") in a battle against the natives of the island of Matan, Pigapheta gives a long description of the journey through the East Indies, bringing up at the island of Timor, where the crew was regaled with fabulous stories of Java, Siam, and China beyond.

Tuesday night on the 11th of February 1522, we left the Island of Timor and entered upon the great sea named Laut

[1] Samar, in the Philippines.

Chidol.[1] . . . In order to double the Cape of Good Hope we went as far as 42° South latitude. . . . Some of our men, and among them the sick, would have liked to land at a place belonging to the Portuguese called Mozambique, both because the ship made much water and because of the great cold which we suffered. . . . But the greater number of us, prizing honor more than life itself, decided on attempting at any risk to return to Spain. . . . We then sailed to the north-west for two whole months without ever taking rest; and in this short time we lost twenty one men between Christians and Indians. We made then a curious observation on throwing them into the sea, that the Christians remained with the face turned to the sky, and the Indians with the face turned to the sea. And if God had not granted us favorable weather, we should have all perished of hunger. . . . We touched at the Cape Verde Islands . . . and the inhabitants told us that it was Thursday, which was a great cause of wondering to us, since with us it was only Wednesday. . . . But we were afterwards advised that there was no error on our part, since as we had always sailed towards the west, following the course of the sun, and had returned to the same place, we must have gained twenty-four hours, as is clear to anyone who reflects upon it. . . .

At last when it pleased Heaven, on Saturday the 6th of September 1522, we entered the bay of San Lucar; and of sixty men who composed our crew when we left Maluco, we were reduced to only eighteen, and these for the most part sick. Of the others, some died of hunger, some had run away at Timor, and some had been condemned to death for their crimes. From the day when we left this bay of San Lucar until our return thither, we reckoned that we had run more than 14,460 leagues and we had completed going round the earth from east to west.

Monday the 8th of September we cast anchor near the mole of Seville, and discharged all the artillery.

Tuesday we all went in shirts and barefoot, with a taper in our hands, to visit the shrine of Santa Maria of Victory. . . .

The Chevalier Anthoyne Pigapheta

[1] The "Javanese," or Southern (Indian), Ocean.

6. De Soto's journey to the Mississippi, 1538–1542

[16]

In 1609, as an encouragement to "the right worshipp-full counsellors and other cheerefull adventurers" who had just founded at Jamestown, Virginia, the first permanent English settlement in America, Richard Hakluyt, a most enthusiastic promoter of colonial enterprise, translated from the Portuguese an account of De Soto's "four yeares continuall travell and discoverie for above one thousand miles east and west." The narrative was written by a gentleman of the Portuguese town of Elvas, who accompanied De Soto. It contains the earliest information we have of the interior of Georgia, the Carolinas, Tennessee, Arkansas, and the Gulf States. After describing De Soto's voyage to the West Indies, the narrative continues:

On Sunday the 18 of May, in the yeere of our Lord 1539 the Adelantado, or president, departed from Havana in Cuba with his fleete, which were nine vessels. . . . They sailed seven daies with a prosperous wind. The 25 day of May, the day de Pascade Spirito Santo (which we call Whitson Sonday), they saw the land of Florida. . . . They came to the town of Vcita, where the Governour was, on Sunday the first of June, being Trinitie Sunday. . . . The Countrie round about was very fennie, and encumbered with great and hie trees. The Governor commanded to fel the woods a crossebow shot round about the towne, that the horses might runne, and the Christians might have the advantage of the Indians if by chance they should set upon them by night. . . .

After two years wandering in search of gold, with many a dangerous encounter with the Indians, De Soto's company reached the banks of the Mississippi.

And because the streame was swift, they went a quarter of a league up the River along the bancke, and crossing over, fell down with the streame, and landed right over against the Camp. . . . As soon as those that passed first were on land on the

other side, the barges returned to the place where the Governor was: and within two hours after Sunne-rising all the people were over.[1] The River was almost half a league broad. If a man stood still on the other side, it could not be discerned whether he were a man or no. The River was of great depth and of strong current: the water was always muddie: there came downe the River continually many trees and timber, which the force of the water and streame brought downe. There was a great store of fish in it of sundrie sorts, and the most of it differing from the fresh water fish of Spaine. . . .

For still another year De Soto pursued his fruitless quest for gold beyond the Mississippi, and returned to the western bank of the great river to die.

The Governor felt in himselfe that the houre approached, wherein hee was to leave this present life, and called for the King's Officers, Captaines, and principall persons . . . and requested them to elect a principall person, able to governe, of whom all should like well, and when he was elected they should sweare before him to obey him. . . . And Baltasar de Galleyos answered in the name of all the rest: And first of all comforting him, he set before his eyes how short the life of this world was, and how with many troubles and miseries it is accompanied, and how God showed him a singular favor which soonest left it. And touching the Governor which he commanded that they should elect, he besought him that it would please his Lordship to name him which he thought fit, and him they would obey. And presently he named Luis de Moscoso de Alvarado his Captaine generall. . . . The next day, being the 21st of May, 1542, departed out of this life the valiant, virtuous, and valorous Captaine, Don Fernando de Soto, Governor of Cuba, and Adelantado of Florida: whom fortune advanced, as it useth to do others, that hee might have the higher fal. . . . Luis de Moscoso determined to conceale his death from the Indians, because Ferdnando

[1] The site of the crossing was probably Council Bend or Walnut Bend, in Trinca County, Mississippi, some twenty-five to thirty-five miles south of Memphis.

de Soto had made them believe that the Christians were immortall; also because they tooke him to be hardie, wise, and valiant: and if they should know that he was dead they would be bold to set upon the Christians, though they lived peaceablie by them. . . . As soone as he was dead, Luis de Moscoso commanded to put him secretly in an house, where hee remained three daies: and removing him from thence, commanded him to bee buried in the night at one of the gates of the towne, within the wall. And as the Indians had seene him sick and missed him, so they did suspect what might bee. And passing by the place where hee was buried, seeing the earth mooved, they looked and spake one to another. Luis de Moscoso understanding of it, commanded him to be taken up by night, and to cast a great deale of sand into the mantles wherein he was winded up, wherein hee was carried in a canoe and throwne into the middest of the River. The Cacique (Chief) of Guachoya inquired for him, demanding what was become of his brother and Lord, the Governor; Luis de Moscoso told him that hee was gon to heaven, as many other times hee did: and because hee was to stay there certaine daies, hee had left him in his place. . . . Luis de Moscoso commanded all the goods of the Governor to be sold at an outcrie (auction): to wit, two men slaves, & two women slaves, and three horses, and 700 hogges. . . .

Under Luis de Moscoso the men built "seven brigandines" in which they sailed down the Mississippi, and, after fifty-two days of perilous voyaging on the Gulf, three hundred and eleven out of the original company of six hundred arrived at the Mexican town of Panuco, September 14, 1543.

All of them were apparrelled in Deeres skins tanned and died black, to wit cotes, hose, and shooes. When they came to Panuco they presently went to the Church to pray, and give God thanks that so miraculously had saved them. The townsmen . . . carried some of them to their houses and entertained them . . . because they were their Countrimen. . . . And all of them were provided for by their hostes of many hennes and bread of maiz and fruits

of the Countrie . . . God reward them all. And God grant that those which it pleased him to deliver out of Florida, and to bring againe into Christendome, may serve him; and unto those that died in that countrey . . . God for his mercie sake grant the kingdome of heaven. Amen

7. A tribute to Queen Elizabeth as the "Mother of English Sea-greatnesse," 1625

[21]

The following turgid and clumsy laudation of Queen Elizabeth was prefixed to a chapter of an ambitious work "contayning a History of the World in Sea Voyages and Lande Travells," published in 1625 by Samuel Purchas, son of a yeoman of Essex. Purchas was a younger associate of the great chronicler Richard Hakluyt, and called himself "Hakluytus Posthumus."

Haile greatest of English Names, glorious Elizabeth! Nor may wee after thy voyage and peregrination out of this World, unto thy true and heavenly home & Country, forget the great acts of thy earthly Pilgrimage. Thou wast indeed the Mother of English sea-greatnesse, and didst first by thy Generalls not salute alone, but awe and terrify the remotest East and West, stretching thy long and strong armes to India, to China, to America, to the Peruvian seas, to the Californian Coast and New Albians scepters: Thou mad'st the Northerne Muscovite admire thy Greatnesse: Thou gavest name to the North-west Straits (Meta Incognita) and the Southern Negros, and Islands of the South-unknowne-continent which knew not humanitie, were compelled to know thee. Thou imbracedst the whole Earthly Globe in thy Maritime Armes. . . . Thou wast a Mother to thy neighbors, Scots, French, Dutch; a Mirror to the remotest of Nations. Great Cumberlands twelve voyages before recited are thine, and the fiery vigor of his Martiall Spirit was kindled at thy bright Lamp. . . . Drake, Candish [Cavendish], John and Richard Hawkins, Raleigh, Dudley, Sherley, Preston, Greenvile, . . . Winter, Frobisher, Davies, and other the Starworthies of Englands Sphere, whose Planet-courses we have before related, acknowledge Elizas Orb to be their first and highest Mover.

After conspicuous military services in Ireland and the Netherlands, Sir Humphrey Gilbert petitioned the Queen for the favor of serving her by exploration. His request was granted, and the following patent issued, by virtue of which he was the first Englishman "to carry people to erect an habitation and government in these Northerly Countreys of America."

8. Sir Humphrey Gilbert's patent, 1578 [21]

The Letters Patents granted by her Majestie to Sir Humfrey Gilbert knight, for the inhabiting and planting of our people in America.

Elizabeth, by the Grace of God, Queene of England, &c. To all people to whom these presents shall come, greeting. Know ye that of our especiall grace, certaine science and meere motion, we have given and granted, and by these presents for us, our heirs and successors, doe give and grant to our trustie and wellbeloved servant Sir Humfrey Gilbert of Compton in our countie of Devonshire knight, and to his heirs and assignes forever, free libertie and license from time to time, and at all times forever hereafter, to discover, finde, search out, and view such remote, heathen and barbarous lands, countries and territories not actually possessed of any Christian prince or people, as to him, his heirs & assignes, and to every or any of them, shall seem good: and the same to have, hold, occupie, and enjoy to him, his heirs and assignes forever, with all commodities, jurisdictions and royalties, both by sea and land. . . . And we do likewise by these presents . . . give full authoritie and power to the saide Sir Humfrey . . . that he shall and may at all and every time and times hereafter, have take and lead . . . to inhabit there with him . . . such and so many of our subjects as shall willingly accompany him . . . with sufficient shipping and furniture for their transportations, so that none of the same persons nor any of them be such as hereafter shall be specially restrained by us, our heires and successors. And further that he, saide Humfrey, his heirs and assignes . . . shall have, hold and occupy and enjoy . . . all the soyle of all such lands, countries & territories so to be discovered or possessed as aforesaid,

and of all Cities, Castles, Townes, and Villages, and places in the same, with the rights, royalties, and jurisdictions, as well marine as other . . . to be had or used with ful power to dispose thereof, & of every part thereof in fee simple . . . according to the laws of England . . . paying unto us for all services, duties and demands, the fifth part of all the oare of gold and silver that . . . shall be there gotten. . . .

And forasmuch as . . . it shall be necessarie for the safety of all men that shall adventure themselves in those journeys or voyages to determine to live together in Christian peace and civill quietness, whereby everyone may with more pleasure and profit enjoy that whereunto they shall attaine with great paine and perill: wee . . . doe give and grant the said Humfrey and his heires and assignes forever . . . that they shall have full and meere [free] power and authoritie to correct, punish, pardon, governe, and rule . . . as well in causes capitall or criminall, as civill, both marine and other, all such our subjects as shall . . . adventure themselves in the said journeys or voyages . . . according to such statutes, lawes, and ordinances as shall be by him the said Sir Humfrey, his heires and assignes . . . devised or established for the better government of the said people: so always that the sayd statutes, lawes and ordinances may be as neere as conveniently may, agreeable to the forme of the lawes & pollicy of England; and also that they be not against the true Christian faith or religion now professed in the Church of England, nor in any wise to withdraw any of the subjects or peoples of those lands or places from the allegiance of us, our heires or successours, as their immediate Soveraignes under God. . . .

Witnesse ourselfe at Westminster the 11 day of June, the twentieth yeere of our raigne. Anno Dom. 1578

Per ipsam Reginam

9. An encouragement to English colonization, 1584

[22]

Until the last quarter of the sixteenth century the English showed practically no interest in the colonization of the new world. Richard Hakluyt wrote in the Dedicatory Epistle to his "Divers Voyages," published in 1582: "I marvaile [marvel] not a little, that since the first

discoverie of America, which is nowe full fourscore and tenne yeerss, after so great conquests and plantings of the Spaniards and Portingales [Portuguese] there, that wee of England could never have the grace to set fast footing in such fertill and temperate places as are left as yet unpossessed of them." Two years later, on the failure of Gilbert's expedition and the transfer of his patent (No. 8, p. 19) to Sir Walter Raleigh, Hakluyt, now chaplain of the English embassy at Paris, "at the request and direction of the right worshippfull Mr. Walter Raylay," wrote his "Discourse Concerning Western Planting" (Colonization), from which the following extracts are taken:

Nowe, to leave the Spaniardes and Frenche and to come to ourselves: seeing it hath pleased Almightie God to reveale at this instant unto her Majestie and the realm that once again afreshe which was in parte discovered by Sebastian Gabote [Cabot] . . . to her most famous grandfather, Kinge Henry the Seaventh . . . if nowe the Queene, her Counsell, and other subjects shall never so little delaye . . . let them assure themselves that they will come to[o] late and a day after the faire: ffor as the wise man sayeth ☞ *Post est occasio calva.*[1] . . . To conclude; if wee doe procrastinate the plantinge [colonizing] . . . the Frenche, the Normans, the Brytons, or the Duche or some other nation will not only prevente us of the mightie Baye of St. Lawrence, where they have gotten the starte of us already, thoughe wee had the same revealed to us by bookes published and printed in Englishe before them, but also will deprive us of that goodd land which nowe wee have discovered. Which if they doe (as God defende they shoulde), then it falleth oute that we shall have our enemyes or doubtfull frendes rounde about us . . . and also incurr great danger and inconvenience in sufferinge Papistes . . . to enriche themselves under our noses, to be better able to supplant or overrunne us. . . .

[1] "Opportunity is bald behind."

The Discourse proceeds with a long and labored argument that the northwest passage to China may be "easily, quickly and perfectly searched out" by English expeditions to the new world, and that Spain's claim to the mainland of America is invalid in spite of both Columbus' voyage and the Pope's Bull. For, even passing over the voyage of the Welshman, Mardoch ap Owen, in 1170, "Gabote [Cabot] discovered this long tracte of firme lande twoo yeeres before Columbus ever sawe any part of the Continent thereof." The treatise closes with a list of reasons to induce the Queen to "take in hande the westerne voyadge."

1. The soyle yeldeth, and may be made to yelde, all the severall comodities of Europe, and of all kingdomes, domynions, and territories that England tradeth with. . . .

2. The passage thither and home is neither to[o] longe nor to[o] shorte, but easie and to be made twise in the yere. . . .

6. This enterprise may staye the Spanishe Kinge from flowinge over all the face of that waste firme [unoccupied mainland] of America, if wee seate and plante there in time. . . . Howe easie a matter may it bee to this realme, swarminge at this day with valiant youthes, rustinge and hurtfull by lack of employment . . . to be lordes of all those sees, and to spoile Phillipps Indian navye [Philip II's fleet in the West Indies], and to deprive him of the yerely passage of his treasure into Europe, and consequently to abate the pride of Spaine and of the supporter of the great Antechrist of Rome, and to pull him downe in equallitie with his neighbor princes. . . .

10. No forren [foreign] comoditie that comes into England comes withoute payment of custome once, twise, or thrise before it comes into the realme, and so all forren comodities become derer to the subjectes of this realme: and by this course to Norumbega [the northern shores of America] forren princes customes are avoided. . . .

16. Wee shall by plantinge there inlarge the glory of the Gospell, and from England plante sincere religion, and provide

a safe and sure place to receave people from all partes of the world that are forced to flee for the truth of Gods worde. . . .

17. If frontier warres there chaunce to arise . . . it will occasion the trayninge upp of our youthe in the discipline of warr, and make a nomber fitt for the service of the warres and for the defence of our people there and at home. . . .

20. Many men of excellent wittes and of divers singuler giftes, overthrown by suertishippe [suretyship, trusteeship], by sea, or by some folly of youthe, that are not able to live in England, may there be raised againe, and doe their contrie goodd service. . . .

22. The frye of the wandringe beggars of England, that grewe upp idly, and hurtefull and burdenous to this realme, may there be unladen and better bredd upp. . . .

23. If Englande crie oute and affirme, that there is so many in all trades that one cannot live for another . . . this Norumbega . . . offreth the remedie.

CHAPTER II

THE ENGLISH COLONIES

The Old Dominion

10. An English gentleman's impressions of Jamestown in 1619

[29]

John Pory, the author of the following letter, was a Cambridge Master of Arts and an ex-member of Parliament. He accompanied Governor Yeardley to Jamestown in 1619 and became secretary of the Colony. He was Speaker of the first legislative assembly that met on American soil, the House of Burgesses of July 30 to August 4, 1619. The proceedings of this memorable session, written in Pory's own hand, were discovered in the State Paper Office of England in 1853. The following letter was written by Pory to his friend, the English Ambassador to Holland, only a few weeks after the adjournment of the Assembly:

Right Honorable, and my singular good Lorde:

. . . Here (as your lordship cannot be ignorant) I am, for faulte of a better, Secretary of Estate, the first that was ever chosen and appointed by Commission from the Counsell and Company in England, under their handes and common seale. By my fees I must maintaine my selfe; which the Governour telles me, may this yeere amounte to a matter of 300 l. sterling; wherof fifty doe I owe to himselfe, and I pray God the remainder may amounte to a hundred more. As yet I have gotten nothing, save onely (if I may speak it without boasting) a general reputation of integrity. . . .

As touching the quality of this country, three things there bee which in a fewe yeares may bring this Colony to perfection; the

English plough, Vineyards, and Cattle. For the first, there may be many grounds here, cleared by the Indians, to our handes, which being much worne out will beare no more of their corn, which requireth an extraordinary deale of sappe and substance to nourish it; but of our graine of all sortes it will beare great abundance. We have had this yeare a plentifull cropp of English wheat, though the last harvest 1618 was onely shed upon the stubble and so self-sowne. In July last, so soone as we had reaped this self-sowen wheate, we sett Indian corne upon the same grounde, which is come up in great abundance. . . .

Vines are here in suche abundance that, wheresover a man treads, they are ready to embrace his foote. . . . For cattle they do mightily increase here, both kine, hogges and goates, and are much greater in stature than the race of them first brought out of England. All our riches for the present doe consiste in tobacco, wherein one man by his owne labor hath in one yeare raised to himselfe to the value of 200 l. sterling; and another by the meanes of sixe servants hath cleared at one crop a thousand pound English.[1]

Nowe that your lordship may knowe that we are not the veriest beggers in the worlde, our cowekeeper here of James citty on Sundays goes accowtered [dressed] all in freshe flaming silke; and a wife of one that in England had professed the black arte, not of a scholler but of a collier of Croyden, weares her rough bever hatt with a faire pearl hatband, and a silken suite thereto correspondent. But to leave the populace and come higher; the Governour here, who at his first coming, besides a great deale of worth in his person, brought onely his sword with him, was at his late being in London, together with his lady, out of his meer gettings here, able to disburse very near 3000 l. to furnishe himselfe for his voyage. And once within seven yeares, I am persuaded (absit invidia verbo)[2] that the Governors place here may be as profittable as the lord Deputies of Irland. . . . At my first coming hither the solitary uncouthnes of this place, compared with those partes of Christendome or Turky where I had been; and likewise my being senquestered from all occurrents [events]

[1] $5000, equivalent perhaps to $20,000 to-day.

[2] "Envy be absent from my speech."

and passages which are so rife there, did not a little vexe me. And yet in these five moneths of my continuance here, there have come at one time or another eleven saile of ships into this River: but fraighted more with ignorance then [than] with any other murchandize. At length being hardened to this custome of abstinence from curiosity, I am resolved wholly to minde my business here, and nexte after my penne, to have some good book alwayes in store, being in solitude the best and choicest company. Besides, among these christall rivers and odiferous woods I doe escape muche expense, envye, contempte, vanity, and vexation of minde. Yet good my lord, have a little compassion on me, and be pleased to sende me what pampletts and relations of the Interim since I was with you, as your lordship shall think good. . . .

Your lordships ever most humbly at your commande

Jo. Pory

James Citty in Virginia, Sept. 30, 1619

11. Virginia changes masters, 1651–1662

[33]

The colonies in America naturally felt the effect of the stormy years of the mid-seventeenth century in England. Two years after Oliver Cromwell had established the Commonwealth (or Republic) in England, the following proclamation was issued by Parliament:

INSTRUCTIONS FOR CAPTAIN ROBERT DENIS, MR. RICHARD BENNET, MR. THOMAS STAGGE, AND CAPTAIN WILLIAM CLAYBOURNE, APPOINTED COMMISSIONERS FOR THE REDUCING OF VIRGINIA AND THE INHABITANTS THEREOF TO THEIR DUE OBEDIENCE TO THE COMMONWEALTH OF ENGLAND

. . . Upon your arrival at Virginia, you, or any two or more of you (of whom captain Robert Denis to be one) shall use your best endeavors to reduce all the Plantations within the Bay of Chesopiaik [Chesapeake] to their due obedience to the Parliament of the Commonwealth of England. For which purpose you . . . have hereby power to assure Pardon and Indemnity to all the Inhabitants of the said Plantations, that shall submit unto the present Government and authority. . . .

And in case they shall not submit by fair ways and means, you are to use all Arts of hostility, that lie in your power to enforce them: and if you shall find that the People so stand out that you can by no other ways or means reduce them to their due obedience, you have power to appoint captains and other officers, and to raise forces within every one of the Plantations aforesaid, for the furtherance and good of the Service. . . .

You shall cause and see the several acts of Parliament against kingship and the House of lords to be received and published; also the Acts for abolishing the Book of common prayers . . . and all other Acts herewith delivered you. You . . . have full Power to administer an oath to the Inhabitants or planters there, to be true and faithful to the Commonwealth of England, as it is now established, without a King or House of lords. . . .

You shall cause all writs, warrents, and other processes whatsoever to be issued forth as occasion shall require, in the name of the keepers of the liberty of England, by authority of the Parliament. . . .

And lastly we doubt not but you will use your best diligence and care in carrying on of this affair. . . . So the Council[1] will take the same into consideration, that respect may be had of your Pains and travail therein, and of a recompence agreeable to your service. . . .

Signed in the name and by the order of the Council of State appointed by authority of Parliament

Jo. Bradshawe, President

Whitehall, Sept. 26th, 1651

From the resignation of Richard Cromwell, son of the great Oliver, April 22, 1659, until the restoration of Charles II, May 29, 1660, England was without a legal government. The Virginia House of Burgesses in its session of March 13, 1660, passed the following acts:

[1] The Council of State was a committee of about forty members of Parliament which performed the executive duties under the Commonwealth.

Whereas by reason of the late frequent distractions, which God in his mercy putt a suddaine period [sudden stop] to, there being in England noe resident absolute and gen'll confessed power: *Be it enacted and confirmed*, That the supreame power of the government of this country shall be resident in the Assembly, and that all writts issued in the name of the Grand Assembly of Virginia, until such a comand and commission come out of England, shall be by the Assembly judged lawfull.

Bee it enacted, That the honourable Sir William Berkeley bee Governour and Captain Gen'll of Virginia, and that he govern according to the ancient lawes of England and the established lawes of this country. . . .

The restoration of Charles II in 1660 was followed by loyal acts of acknowledgment on the part of the colonies and expressions of pardon and goodwill from the amiable king. To Governor Berkeley, who had gone over to England shortly after the Restoration, the following instructions were issued:

. . . You shall within one month after your arrival, or sooner, if you think fit call a General Assembly according to the usage and custom of that our Colony and at the opening thereof you shall declare to them that we are graciously pleased to grant a free and General act of pardon and oblivion to all our subjects of what degree and quality whatsoever . . . excepting such persons who are attainted by act of Parliament for the horrid murder of our dear Father[1] of blessed memory . . . provided that you and the Assembly take present care for the repeal of all laws and orders made during the late times of rebellion and usurpation against our crown and dignity. . . .

You shall let that Assembly know that we do expect from you and them that you establish good and wholesome rules and orders . . . for the punishment of all vice and debauchery and idleness . . . and that they likewise establish all necessary

[1] The "regicide" members of the Rump Parliament who had voted for Charles I's execution, 1649.

encouragements for virtue, industry and obedience, and for whatsoever may advance the wealth, honor, and reputation of that our Colony . . . in order to which we do very heartily recommend to you and their care and consideration.

1. That care be taken to dispose the Planters to be willing to build towns upon Every River, which must tend very much to their security and in time to their profit. . . .

2. That all possible endeavours be used and encouragement given to advance the plantation of Silk, Flax, Hemp, Pitch and potatoes for which we are well assured that climate and soil is very proper. . . .

3. Whereas we have been moved to put some restraint on the planting of Tobacco in that our Colony, both for the advancing of the other commodities we have recommended to you, and because the price thereof falls so low by the great quantities brought in from our other plantations, that the same will not in a short time be valuable to the planters or merchants . . . we do recommend the consideration and debate of the whole to you and our Assembly . . . and we do direct you that some Commissioners be appointed to treat with others of Maryland to that purpose, and a fitt place agreed upon for the same. In order whereunto we are well assured the Lord Baltimore will send Directions to those that are trusted by him. . . .

5. . . . Whereas we have certain knowledge that very much Tobacco is shipped in that our Colony in Dutch vessels . . . and that very much which is put on English vessels is not yet brought into England . . . we do hereby require you that a very exact account you do cause to be . . . transmitted to our Counsellors and Farmers of our Customs here of all the Tobacco which shall be shipped from that our Colony in English vessels. . . .

8. You shall once every year transmit the true and full state of that our Colony to our Council of plantations here, with a particular account of every improvement you observe to be made by the industry of the planters as well as by the direction of the Government. In the year past what number of people have been transported thither . . . and what new plantations they have entered upon, and what new encouragement you desire from hence . . . so that we may show you by some new

multiplied grace and favor how much we take to heart the good and benefit and advancement of that our Colony and our good subjects thereof.

9. Lastly . . . we do hereby recommend to your wisdom and integrity that Justice be well and impartially administered, and that our good subjects shall have no cause of complaint. . . .

Given at our Court at White Hall this 12th day of September in the fourteenth year of our reign,[1] 1662

By his Majesties Command

12. An eye-witness' account of Bacon's rebellion, 1675-1676

[34]

It would be hard to find in the whole mass of colonial literature a piece to surpass in interest the vivid and convincing narrative entitled "The Beginning, Progress and Conclusion of Bacon's Rebellion in Virginia." The account was written in 1705, at the request of Lord Oxford, by a Virginia planter and fellow-member of Bacon's in the House of Burgesses of 1676, who signs himself simply T. M. The manuscript was bought by the American minister in London, at a bookseller's sale, and sent to President Jefferson (December 20, 1803), who had a copy made for publication in the *Richmond Enquirer*, September 1, 5, 8, 1804.

My dwelling was in Northumberland, the lowest county on the Potomack river, where having also a plantation, servants, cattle &c., my overseer there had agreed with one Robert Hen to come thither and be my herdsman, who then lived ten miles above it; but on a Sabbath day morning, in the summer anno 1675, people in their way to Church saw this Hen lying thwart his threshold, and an Indian without the door, both chopt on their heads, arms, and other parts, as if done with Indian hatchetts, the Indian was dead, but Hen when asked who did that? answered Doegs, Doegs, and soon died, then a boy came out from under the bed where he had hid himself, and told them

[1] Charles II, ignoring the Commonwealth and Protectorate, the years of his exile, dated his reign from his father's execution in 1649.

Indians had come at break of day and done those murders. Ffrom this Englishman's bloud did (by degrees) arise Bacons rebellion with the following mischiefs which overspread all Virginia and twice endangered Maryland, as by the ensuing account is evident. . . .

Frequent complaints of bloodshed were sent to Sir William Berkeley (then Govern'r) from the heads of the rivers, which were as often answered with promises of assistance. These at the head of James and York rivers . . . grew impatient at the many slaughters of their neighbors and rose for their own defence, who chusing Mr. Bacon for their leader sent oftentimes to the Govern'r humbly beseeching a commission to go against those Indians at their own charge, which his hono'r as often promised, but did not send. . . .

During these protractions and people often slaine . . . 300 men taking Mr. Bacon for their coman'r met and concerted [discussed] together the danger of going without a comiss'n on the one part and the continuall murders of their neighbors on th' other part [not knowing whose or how many of their own turns might be next] and came to this resolution viz. : to prepare themselves with necessaries for a march, but interim to send again for a comission, which if could or could not be obteyned by a certaine day, they would proceed comission or no comission.

This day lapsing and no com'n come, they march'd into the wilderness in quest of these Indians after whom the Govern'r sent his proclamacon denouncing all rebells, who should not return within a limited day . . . but Mr. Bacon, with 57 men, proceded untill their provisions were near spent without finding enemys. . . . The circumstances of this expedicon [expedition] Mr. Bacon entertained me with at his own chamber on a visit I made him. . . .

Bacon was pardoned by Governor Berkeley after this fruitless expedition and given a seat in the Governor's Council (to keep him out of the Assembly?), but still he persisted in his demand for a commission, and finally fled from Jamestown and again put himself at the head of a body of men up the river.

In three or ffour daies after this escape, upon news that Mr. Bacon was 30 miles up the river at the head of 400 men, the Govern'r sent to the parts adjacent, on both sides James river, for the militia . . . to come and defend the town . . . who att 2 of the clock entered the town without being withstood, and formed a body upon a green not a flight shot from the end of the state house, of horse and ffoot as well as veteran troops. . . .

In less than an hour more Mr. Bacon came with a file of ffusileers on either hand near the corner of the state house, where the Govern'r and Councill went forth to meet him. We saw from the window[1] the Govern'r open his breast, and Bacon strutting betwixt his two files of men with his left arm on kenbow [akimbo] flinging his right arm every way . . . when in two minutes the Govern'r walked toward his private apartment a coits cast distant at the other end of the state house . . . and after him walked Mr. Bacon with outragious postures of his head arms body, and leggs, often tossing his hand from his sword to his hat, and after him came a detachment of ffusileers . . . who presented their ffusils [guns] at a window of the assembly chamber filled with faces, repeating with menacing voices "we will have it, we will have itt.[2]" . . . In this hubub a servant of mine got so near as to hear the Govern'rs words . . . when he opened his breast he said "here! shoot me, foregod fair mark shoot," often rehearsing the same . . . whereto Mr. Bacon answered, "no may it please yo'r hono'r we will not hurt a hair of yo'r head . . . we are come for a comission to save our lives from th' Indians, which you have so often promised, and now we will have it before we go." . . .

In an hour more after these violent concussions Mr. Bacon came up to our chamber and desired a comission from us. . . . Our speaker sat silent, while one Mr. Blayton a neighbor to Mr. Bacon . . . answered "twas not in our province, or power, nor of any other, save the king's vicegerent our govern'r," he pressed hard nigh half an hours harangue on the preserving

[1] The window of the state house where the Burgesses, of whom T. M. was a member, were assembled as anxious spectators.

[2] That is, the commission.

our lives from the Indians. . . . whereto having no other answer, he went away dissatisfied. . . .

We had account that Generall Bacon was march'd with a thousand men into the fforest to seek the enemy Indians, and in a few daies after our next news was that the govern'r had sumoned together the militia . . . to the number of 1200 men and proposed to them to follow and suppress that rebell Bacon; whereupon arose a murmuring before his face, Bacon Bacon Bacon, and all walked out of the field, muttering as they went Bacon Bacon Bacon, leaving the govern'r and those that came with him to themselves, who being thus abandon'd wafted [sailed] over Chesepiacke bay 30 miles to Occomack, where are two countres of Virginia. . . .

The govern'r made a 2d attempt coming over from Occomack with what men he could procure in sloops and boats forty miles up the river to Jamestown, which Bacon hearing of came again down from his forest pursuit . . . and stormed and took the town [Jamestown] in which attack were 12 men slaine and wounded, but the govern'r with most of his followers fled back down the river in their vessells. . . .

Here resting a few daies they [Bacon and followers] concerted the burning of the town . . . and laid the whole town (with church and state house) in ashes, saying the rogues should harbor no more there.

On these reiterated molestacons [molestations] Bacon calls a convention at Midle plantation 15 miles from Jamestown in the month of August 1676, where . . . writts were by him issued for an assembly; and . . . one proclamation commanded all men in the land on paine of death to joine him, and retire into the wilderness on the arrivall of forces expected from England, and oppose them untill they should propose or accept to treat of an accomodation . . . so the whole land must have become an Aceldama[1] if God's exceeding mercy had not timely removed him. . . .

The govern'r went in the fflet to London . . . and by next shipping came back a person who waited on his hono'r in the

[1] Aceldama, "the Field of Blood," or Potter's Field, for the burial of paupers in Jerusalem. Said to have been purchased with the thirty pieces of silver for which Judas sold Christ.

voyage; from whom a report was whispered about that the king did say that old fool has hanged more men in that naked country than he [the king] had done for the murther of his ffather, whereof the govern'r hearing dyed soon after without having seen his majestie; which shuts up this tragedy.

The New England Settlements

13. The coming of the Pilgrims, 1620

[35]

William Bradford was governor of Plymouth Colony almost continuously from 1621 to his death in 1657. His history "Of Plimoth Plantation," begun in 1630, is the source from which the material for all the subsequent histories of the pioneer colony in New England has been chiefly drawn. The precious manuscript of Bradford's history disappeared from the library in the tower of the Old South Church, Boston, at the time of the American Revolution. It was found in 1855 in the library of Fulham Palace, the residence of the Bishop of London; and after repeated and urgent requests it was given by the English government to the State of Massachusetts. It is now exhibited to visitors in the State Library at the Capitol. The following passages contain an account of the flight of the Separatists to Holland, part of the final letter written to the Pilgrims by their pastor John Robinson, on their departure for America, and the Compact which they made in the cabin of the *Mayflower* just before landing at Plymouth.

[The Separatists] yet seeing themselves thus molested[1] and that ther was no hope of their continuance ther [in England], by a jointe consente they resolved to goe into the Low Countries [Holland], wher they heard was freedom of religion for all men. . . . So affter they had continued togeither aboute a year, and

[1] James I on his accession in 1603 determined to make all the Puritans and Brownists, or Separatists, conform to the worship of the Church of England or drive them out of the land.

kept their meetings every Saboth in one place or other, exercising the worship of God amongstt themselves, notwithstanding all the dilligence and malice of their adversaries, and seeing they could no longer continue in that condition, they resolved to get over into Holland as they could: which was in the year 1607 and 1608. . . . But to go into a country they knew not (but by hearsay) wher they must learne a new language and get their livings they knew not how . . . it was by many thought an adventure almost desperate . . . and a misserie worse than death. Espetially seeing they were not aquainted with trad[e]s nor traffique (by which that country doth subsiste) but had only been used to a plaine countrie life, and the innocent trade of husbandrey . . . but they rested on God's providence, and knew whom they had beleeved. . . .

Being now come into the Low Countries they saw many goodly and fortified cities strongly walled and guarded with troops of armed men.[1] They also heard a strange and uncouth language and beheld the differente manners and customes of the people with their strange fashons and attires . . . and though they saw faire and bewtifull cities, flowing with abundance of all sorts of welth and riches, yet it was not long before they saw the grimme and grisly face of povertie coming upon them like an armed man, with whom they must buckle and incounter . . . yet by God's assistance they prevailed and got the victorie. . . . Being thus settled . . . they continued many years [1608–1620] in a comfortable condition, injoying much sweete and delightefull societie and spirituall comfort together in the wayes of God, under the able ministrie and prudente governmente of Mr. John Robinson and Mr. William Brewster . . . and if at any time any differences arose or offences broak out . . . they were nipt in the head betim[e]s or otherwise so well composed, as still love, peace and communion was continued. . . .

After ten or a dozen years' residence in Holland, the Pilgrims began to think of removing to the New World,

[1] The Dutch under William of Orange and his brothers had been maintaining a valiant war of independence against Philip of Spain since the year 1567.

" not out of any newfangledness or other such like giddie humor . . . but for sundrie weightie and solid reasons," which were their growing numbers, their political and social restraint in a foreign land, their disapproval of the " Continental morals," and their " great hope and inward zeall " of converting the Indians to Christianity.

So being ready to departe, they had a day of solleme humiliation, their pastor taking his texte from Ezra 8, 21 . . . upon which he spente a good parte of the day very profitably. . . . The nexte day the wind being faire they went aborde . . . where truly dolfull was the sight of that sade and mournfull parting . . . so that sundry of the Dutch strangers that stood on the key as spectators could not refraine from tears. . . . At their parting Mr. Robinson writ a letter to the whole company.

Lovinge Christian friends, I doe hartily in the Lord salute you all . . . though I be constrained for a while to be bodily absente from you. . . .

Now next after heavenly peace with God and our own consciences, we are carefully to provide for peace with all men what in us lieth. . . . As many of you are strangers, as to the persons, so to the infirmities one of another, [you] so stand in neede of more watchfullness this way, lest when shuch things fall out in men and women as you suspected not, you be inordinately affected with them. . . .

And lastly, your intended course of civill comunitie will minister continuall occasion for offence, and will be as fuell for that fire, excepte you dilligently quench it with brotherly forbearance. . . . Store up therefore patience against the evill day. . . . And as men are carfull not to have a new house shaken with any violence before it be well setled and the parts firmly knite, so be you, I beseeche you, brethren, much more carful that the house of God, which you are and are to be, be not shaken with unnecessarie novelties or other oppositions at the first setling thereof. . . .

Lastly, whereas you are become a body politik . . . let your wisdome and godliness appeare, not only in chusing shuch

persons as doe entirely love and will promote the commone good, but also in yeelding unto them all due honor and obedience. . . .

Fare you well in him in whom you trust and in whom I rest.

An unfained wellwiller of your hapie success in this hopefull voyage

John Robinson

Arriving off Cape Cod, November 11 (21), 1620, and realizing that they were outside the jurisdiction of the London Company which had granted them their patent, the Pilgrims, in order to assure a stable government on landing, agreed to this famous compact in the *Mayflower's* cabin.

In the name of God, Amen

We whose names are under-writen, the loyal subjects of our dread soveraigne Lord, King James, by the grace of God, of Great Britaine, Franc, and Ireland king, defender of the Faith, etc., having undertaken, for the glorie of God, and advancemente of the Christian faith, and honour of our king and countrie, a voyage to plante the first colonie in the Northerne parts of Virginia, doe by these presents, solemnly and mutualy in the presence of God, and of one another, covenant and combine ourselves togeather into a civill body politick, for our better ordering and preservation and furtherance of the ends aforesaid: and by vertue hearof to enacte, constitute and frame such just and equall lawes, ordinances, acts, constitutions and offices, from time to time, as shall be thought most meete and convenient for the generall good of the Colonie, unto which we promise all due submission and obedience. In witnes wherof we have hereunder subscribed our names at Cap-Codd, the 11 of November, in the year of the raigne of our soveraigne Lord, King James, of England, France, and Ireland the eighteenth, and of Scotland the fiftie fourth. An°: Dom. 1620.

14. Illustrations of Puritan character

The character of the New England Puritan has always inspired conflicting sentiments in the mind of his critic. Steadfastness, zeal, and intrepid virtue were joined in him with a harsh and intolerant judgment of the least deviation [43]

from the conduct and creed prescribed by the orthodox clergy. Sweet reasonableness was regarded as a weak surrender of principle. Thomas Hutchinson, the royal Lieutenant-Governor of Massachusetts on the eve of the American Revolution, writes of the Puritans in his "History of the Colony of Massachusetts Bay":

In the beginning of 1649 died Mr. Winthrop, the father of the country, in the 63d year of his age. His death caused a general grief through the colony. . . . He was of more Catholic spirit than some of his bretheren before he left England, but afterwards he grew more contracted, and was disposed to lay too great stress on indifferent matters. He first proposed leaving off the custom of drinking one to another, and then procured a law to prohibit it. He pursued with great vehemence Mr. Vane's adherents.[1] . . . Some writers say that upon his deathbed when Mr. Dudley pressed him to sign an order of banishment of an heterodox person, he refused saying, "he had done too much of that work already." Mr. Endicott succeeded him in the place of governor, and Mr. Dudley took the place of deputy governor.

I fancy that about this time the scrupulosity of the good people of this colony was at its height. Soon after Mr. Winthrop's death, Mr. Endicot, the most rigid of any of the magistrates, being governor, he joined with the other assistants in an association against long hair.

In every age indifferent things have been condemned as sinful, and placed among the greatest immoralities. The text against long hair in Corinthians,[2] as contrary to the custom in the apostle's day, induced our ancestors to think it criminal in all ages and all nations. . . . I have wondered that the text in Leviticus [xix, 27] "Ye shall not round the corners of your heads," was never brought against short hair. . . . The rule in

[1] Sir Harry Vane, Governor of Massachusetts 1636–1637, supported Anne Hutchinson in theological heresy. He played a leading part in the English Civil War of 1642, and was executed twenty years later by Charles II.

[2] 1 Cor. xi, 14: "If a man have long hair, it is a shame unto him."

New England was, that none should wear their hair below their ears. In a clergyman it was said to be the greater offence. . . . A few years before, tobacco was prohibited under a penalty, and the smoak of it in some manuscripts is compared to the smoak of the bottomless pit. Some of the clergy fell into the practice of smoaking, and tobacco by an act of government was "set at liberty." In England, periwigs came into use soon after the Restoration [1660]. In New England, they were an eyesore for thirty years after, and did not generally obtain until about the time of the revolution [1689], and even then the example and authority of . . . ministers in England besides . . . foreign protestant divines who wore wigs, was necessary to remove all scruples concerning them.

The most famous of the Puritan ministers of New England was John Cotton, who came from the old Boston in Lincolnshire to the new Boston in Massachusetts in the year 1633. Settled near Cotton, both in old England and New England, was his distant relative, Samuel Whiting, who has left us a biography of him.

Well, to Boston [England] the good man came [from Cambridge University], and for three years he preached and lived so amongst them that they accounted themselves happy. . . . But it pleased God, after three or four years being there, that he could not digest the ceremonies. . . . He took much pains in private, and read to sundry young scholars that were in his house, and some that came out of Germany, and had his house full of auditors. . . . He always preached at the election of mayors . . . and always (if he were at home) at the funerals of those of the abler sort that died. He was frequent in the duty of humiliation and thanksgiving: in which I have known him in prayer and opening the word and applying it, five or six hours. . . . He was of admirable candor, of unparalleled meekness, of rare wisdom, very loving even to those that differed in judgment from him, yet one that held his own stoutly, *arcte tenens accurateque defendens*[1] what he himself judged to

[1] "Strictly holding and painstakingly defending."

be the truth. . . . He was exceedingly beloved by the best and admired and reverenced of the worst of his hearers. He had many enemies at Boston, as well as many friends, and some that rose up against him and plotted secretly to undermine him, and others that practised more openly against him. But they were all of them blasted, either in their names, or in their estates, or in their families, or in their devices, or else came to untimely deaths; which shows how God . . . owned his servant in his holy labors. . . .

And God bringing him and his company over [to America] in safety . . . there grew some trouble between those that were to settle matters in church and Commonwealth. But Mr. Cotton then preaching before the General Court an excellent sermon out of Haggai ii. "Be strong, Zerubbabel, and be strong, Joshua, and be strong, ye people of the land" etc., it pleased God so to compose and calm spirits that all apprehensions were laid aside, and they were . . . much encouraged. . . . I could speak much more: but at this present want strength. . . . I am not like to live to see such another in New England, though I know that God is able to double the spirit of that Elias upon him that succeeds him. . . . It is well for both Bostons that they had such a light, if they walk in the light . . . and truth that he held out to them. . . . Amen

The following extract from the diary of John Cotton's distinguished grandson, Rev. Cotton Mather, "the Puritan saint" of Massachusetts, shows how heavy a burden of responsibility the Puritan laid upon his own soul.

Butt one special Action of this Day [March 12, 1681] was to make and write the following:

Resolutions as to my Walk with God

Lord! Thou that workest in mee to *will*, help *mee* to *resolve*

I. As to my *Thoughts.*

1. To endeavour that I will keep *God*, and *Christ*, and *Heaven* much in my *Thoughts.*

2. In a special manner, to watch and pray, against . . . *ambitious* Thoughts, and *wandring* Thoughts in the Times of Devotion.

II. As to my *Words*.

1. To bee not of many *Words*, and when I do speak, to do it with *Deliberation*.

2. To remember my obligations to use my *Tongue* as *the Lord's*, and not as *my own*. . . .

3. Never to answer any *weighty Question*, without lifting up my Heart unto God, in a Request that Hee would help mee to give a *right Answer*.

4. To *speak Ill of no Man*; except, on a good *Ground*, and for a good *End*.

5. Seldome to make a Visit, without contriving, *what I may do for God in that visit*.

III. As to my daily Course of Duties.

1. To *pray* at least *thrice*, for the most part every Day.

2. To *meditate* once a day. . . .

3. To make a Custome of propounding to myself, these *Three Questions*, every Night before I sleep:

What hath been the Mercy of God unto mee, in the Day past?

What hath been my carriage before God, in the Day past?

And, If I dy this Night, is my immortal Spirit safe?

4. To lead a Life of heavenly *Ejaculations*.

5. To bee diligent in *observing* and *recording* of *illustrious Providences*.

But in all, to bee continually going unto the Lord Jesus Christ, as the only Physician, and Redeemer, of my Soul.

Lord! Thou that workest in mee to *do*, help mee to *perform*.

Penned by, Cotton Mather; a feeble and worthless, yett (*Lord! by thy Grace!*) desirous to approve himself a Sincere and faithful Servant of Jesus Christ.

The XXXVIth Year of My Age

12 d. 12 m. 1697.[1] This day, *thro' the Forebearance of God*, I am *thirty-five* Years old. When I behold, how extremely foolish and carnal, I still am . . . at this Age, my Spirit sinks with Astonishment! Lord! I am astonished that thou has Suffer'd

[1] Twelfth day of the twelfth month, 1697. As March 1 was still generally observed as the beginning of the new year, this date is February 12, 1698.

such a *barren tree*, to stand thus long, among thy People! . . . I did spend some Time-extraordinary [this Day] in confessing and bewayling the Sins of the Year past, and giving Thanks for the *Mercies* of the year; and in Supplications, that in the ensuing Year, I may enjoy the Gracious Presence of God with mee. . . .

Memorandum. I was a little comforted with a Word spoken to mee, by a Gentleman, a Lawyer, who came a few months ago out of *England*, and who since hee came had sett himself a little to observe the People of *New England*: "*Mr. Mather*, (said hee) I can tell you this: All the men that have any Vertue or any Reason in them, I find, love you, and value you, and honor you; but all the base People, who are scandalous for Vice and Wickedness, hate you, and can't give you a good Word."

15. "Independency" in Massachusetts, 1664

[49]

From the restoration of the Stuarts to the English throne in 1660 until their expulsion in 1688, there was great uncertainty in the New England colonies, "the principal persons both in church and state," as Hutchinson says, "being never without fearful expectations of being deprived of their privileges." In 1664 their fears seemed to be justified by the tidings that some men-of-war were coming from England, "with several gentlemen of distinction aboard them." The General Court (legislature) of Massachusetts appointed a committee to visit the ships and warn officers and sailors "in their coming ashore to refresh themselves . . . to give no offence to the people and laws of the place." They later resolved on the following address to King Charles II:

TO THE KINGS MOST EXCELLENT MAJESTIE

The humble supplication of the General Court of the Massachusetts Colony in New England

Dread Soveraigne

Iff your poor subjects, who have removed themselves into a remote corner of the earth, to enjoy peace with God and man, doe, in this day of their trouble, prostrate themselves at your

royal feet, and beg your favor, we hope it will be graciously accepted by your Majestie. And that, as the high place you sustein on earth doth number you among the gods, so you will imitate the God of heaven in being ready to maintain the cause of the afflicted, and the rights of the poor, and to receive their cries and addresses to that end. And we humbly beseech your majestie, with patience and clemency, to heare and accept our plain discourse, thô of somewhat greater length than would be comely in other or lesser cases. Wee are remote, and can speake but seldom, and therefore crave leave to speake the more at once. Wee shall not largely repeat, how that the first undertakers for this plantation, having, by considerable summs, purchased the right thereof, granted to the counsel established at Plimouth by King James your royal grandfather, did after obtain a patent, given and confirmed to themselves by your royal father, King Charles the first, wherein it is granted to them, their heirs, assigns, and associates forever, not only the absolute use and propriety of the tract of land therein mentioned, but also full and absolute power of governing all the people of this place, by men chosen from among themselves, and according to such lawes as they shall, from time to time, see fit to make and establish, being not repugnant to the lawes of England (they paying only the fifth part of the oare of gold and silver that shall here be found, for and in respect of all duties, demands, exactions, and service whatsover) as in the said patent is more at large declared. Under the encouragement and security of which royal charter, this people did, at their own charges, transport themselves, their wives, and their families over the ocean, purchase the lands of the natives, and plant this colony with great labor, hazards, cost, and difficulties, for a long time wrestling with the wants of a wilderness, and the burdens of a new plantation; having also now above 30 yeares enjoyed the aforesaid power and privilege of government within themselves, as their undoubted right in the sight of God and man. And having had, moreover, this further favor from God, and from your Majestie, that wee have received several gracious letters from your royal selfe, full of expressions tending to confirm us in our enjoyments. . . .

But what affliction of heart must it needs be unto us, that our sins have provoked God to permit our adversaries to set themselves against us by their misinformations, complaints, and solicitations (as some of them have made it their worke for many yeares) and thereby to procure a commission under the great seal, wherein 4 persons (one of them our knowne and professed enemy) are impowered to heare, receive, examine, and determine all complaints and appeals, in all causes and matters, as well military as criminal and civil, and to proceed in all things for settling this country according to their good and sound discretions, etc. Whereby, instead of being governed by rulers of our owne choosing (which is the fundamental privilege of our patent) and by lawes of our owne, wee are like to be subjected to the arbitrary power of strangers, proceeding not by any established law, but by their own discretions. . . . And thô wee have yet had but a little taste of the words or actings of these gentlemen, that are come over hither in this capacity of commissioners, yet we have had enough to confirme us in our feares, that their improvement of this power, . . . will end in the subversion of our all. We should be glad to hope that your Majestie's instructions (which they have not yet been pleased to impart unto us) may put such limitation to their business here, as will take off much of our feare; but according to the present appearance of things we thus speak. . . .

If these things go on (according to the present appearance) your subjects here will either be forced to seeke new dwellings, or sinke and faint under burdens that will be to them intollerable. The vigor of all new endeavors in the several callings and occupations (either for merchandize abroad, or further subduing this wilderness at home) will be enfeebled, as we perceive it already begins to be, the good of converting the natives obstructed, the inhabitants driven to we know not what extremities, and this hopeful plantation in the issue ruined. . . .

There have also been high representations of great divisions and discontents amongst us, and of a necessity of sending commissioners to relieve the aggrieved, &c. Whereas it plainly appeares, that the body of this people are unanimously satisfied in the present government, and abhorrent from change, and

that which is now offered will, instead of relieving, raise up such grievances as are intolerable. Wee suppose there is no government under heaven, wherein some discontented persons may not be found. And if it be a sufficient accusation against a government, that there are some such, who will be innocent? Yet through the favor of God there are but few amongst us that are malcontent, and fewer that have cause to be so.

Sir, the allknowing God knows our greatest ambition is to live a poor and quiet life, in a corner of the world, without offence to God or man. Wee came not into this wilderness to seeke great things to ourselves, and if any come after us to seeke them heere they will be disappointed. Wee keep ourselves within our line, and meddle not with matters abroad. A just dependence upon and subjection to your Majestie, according to our charter, it is far from our hearts to disacknowledge. Wee so highly prize your favorable aspect (thô at this great distance) as wee would gladly do anything that is within our power to purchase the continuance of it. . . . But it is a great unhappiness to be reduced to so hard a case, as to have no other testimony of our subjection and loyalty offered us but this, viz: to destroy our owne being, which nature teacheth us to preserve, or to yield up our liberties, which are far dearer to us than our lives, and which, had we had any feares of being deprived of, wee had never wandered from our fathers houses into these ends of the earth. . . .

Royal Sir, it is in your power to say of your poor people in New England, they shall not die. If we have found favor in the sight of our king, let our life be given us at our petition. . . . Let our government live, our patent live, our magistrates live, our lawes and liberties live, our own religious enjoyments live, so shall we all yet have further cause to say, from our hearts, let the King live forever. And the blessings of them that were ready to perish shall come upon your Majestie . . . and wee and ours shall have lasting cause to rejoice, that we have been numbred among your Majestie's

Most humble servants
and suppliants

25th of October, 1664

16. The "Glorious Revolution" of 1689

[51]

The later years of the Stuarts brought the realization of the worst of the New Englanders' fears. In 1684 the Massachusetts Charter was revoked by Charles II, and on June 3, 1686, Sir Edmund Andros received from the new king, James II, a charter making him Captain General and Governor in Chief of all New England. Andros' tyrannical behavior is set forth in a "Declaration of the Gentlemen, Merchants, and Inhabitants of Boston and the Country Adjacent," published the day of his overthrow, April 18, 1689.

. . . Sir Edmund Andross arrived as our Governour; who besides his Power, with the Advice and Consent of his Council, to make Laws and raise Taxes as he pleased; had also Authority by himself to Muster and Imploy all Persons residing in the Territory as occasion shall serve: and to transfer such Forces to any English Plantation in America, as occasion shall require. And several companies of Souldiers were now brought from Europe, to support what was to be imposed upon us, not without repeated Menaces that some hundreds more were intented for us.

The Government was no sooner in these Hands, but care was taken to load preferments principally upon such Men as were strangers to, and haters of the People: and evryones Observation hath noted, what Qualifications recommended a man to publick Offices and Employments, only here and there a *good Man* was used, where others could not easily be had. . . . But of all our Oppressors we were chiefly *squeez'd* by a crew of abject Persons, fetched from *New York* to be the Tools of the Adversary, standing at our right hand; by these were extraordinary and intollerable Fees extorted from evry one upon all occasions, without any Rules but those of their own insatiable Avarice and Beggary; and even the probate of a Will must now cost as many *Pounds* perhaps as it did *Shillings* heretofore; nor could a small Volume contain the other Illegalities done by these *Horse-Leeches* in the two or three Years that they have been sucking of us; and what Laws they made it was as impossible for us to know, as dangerous for us to break. . . .

It was now plainly affirmed, both by some in open Council, and by the same in private converse, that the People in *New England* were all *Slaves*, and the only difference between them and the *Slaves* is in their not being bought and sold; and it was a maxim delivered in open Court to us by one of the Council, *that we must not think the Priviledges of Englishmen would follow us to the end of the World:* Accordingly we have been treated with multiplied contradictions to *Magna Charta*, the rights of which we laid claim to. Persons who did but peaceably object against the raising of Taxes without an Assembly, have been for it fined, some twenty, some thirty, and others fifty Pounds. Packt and pickt Juries have been very common things among us. . . . Without a Verdict, yea, without a Jury sometimes have People been fined most unrighteously; and some, not of the meanest Quality, have been kept in long and close Imprisonment without any least Information appearing against them or an *Habeas Corpus* allowed unto them. . . .

Because these things could not make us miserable fast enough, there was a notable Discovery made of we know not what *Flaw* in all our *Titles to our Lands*: and tho besides our purchase of them from the Natives; and besides our actual peaceable unquestioned possession of them for near threescore Years, and besides the Promise of K. Charles II in his Proclamation sent over to us in the Year 1683, *That no Man here shall receive any Prejudice in his Free Hold or Estate* . . . yet were we every day told, *That no Man was owner of a Foot of Land in all the Colony;* Accordingly, *Writs of Intrusion* began everywhere to be served on People, that after all their Sweat and their Cost upon their formerly purchased Lands, thought themselves *Freeholders* of what they had. And the Governour caused the Lands pertaining to these and these *particular Men*, to be measured out for his Creatures to take possession of. . . .

All the Council were not ingaged in these ill Actions, but those of them which were true Lovers *of their Country* were seldom admitted to and seldomer consulted at the Debates which produced these unrighteous things. Care was taken to keep them under Disadvantages; and the Governor, with five or six more, did what they would. We bore all these and many

more such Things, without making any attempt for Relief; only Mr. Mather,[1] purely out of respect unto the Good of his Afflicted Country, undertook a voyage into *England*. . . . God having through many Difficulties given him to arrive at *White Hall*, the King more than once or twice promised him a certain *Magna Charta* for the speedy Redress of many things which we were groaning under: and in the meantime said that *Our Governor should be written unto, to forbear the Measures that he was upon*. However, after this we were injured in those very things which were complained of. . . .

We do therefore seize upon the Persons of those few *ill Men* which have been (next to our Sins) the grand Authors of our Miseries: resolving to secure them, for what Justice, Orders from his Highness,[2] with the *English Parliament* shall direct, lest, ere we are aware, we find ourselves to be given away by them to a Forreign *Power*,[3] before such Orders can reach unto us; for which orders now we humbly wait. In the mean time firmly believing, that we have endeavored nothing but what meer Duty to God and our Country calls for at our Hands: we commit our *Enterprise* unto the Blessing of Him *who hears the cry of the Oppressed*, and advise all our Neighbors, for whom we have thus ventured ourselves, to joyn with us in Prayers and all just Actions, for the Defence of the Land.

There follows the letter dispatched the same day by the chief citizens of Boston to Governor Andros, who had taken refuge in the Fort:

At the Town-House, Boston, April 18, 1689

Sir,

Ourselves and many others the Inhabitants of this Town, and the Places adjacent, being surprized with the peoples sudden

[1] Reverend Increase Mather, son-in-law of John Cotton, and father of Cotton Mather. See No. 14, p. 40.

[2] William, Prince of Orange, the news of whose coronation in February, 1689, had not yet reached New England.

[3] There was considerable fear in New England that the Roman Catholic King James II would betray the Puritans of New England to the French in Canada. See Randolph's letter, p. 50.

taking of Arms; in the first motion whereof we were wholly ignorant, being driven by the present Accident, are necessitated to acquaint your Excellency, that for the quieting and securing of the People inhabiting in this Country from the imminent Dangers they many ways lie open and exposed to, And tendring your own Safety, We judge it necessary you forthwith surrender and deliver up the Government and Fortification to be preserved and disposed according to Order and Direction from the Crown of England, which suddenly is expected may arrive: promising all security from violence to your Self or any of your Gentlemen or Souldiers in Person and Estate. Otherwise we are assured they will endeavour the taking of the Fortification by Storm, if any Opposition be made.

To Sir Edmond Andross K't
(Signed by fifteen of the prominent citizens of Boston)

Andros, after an attempt to escape to the frigate *Rose*, which was lying at anchor in Boston Harbor, surrendered and was brought to the Council House in the town, where he was "confined for that night to Mr. John Usher's house under strong guards," and the next day conveyed to the Fort and held a prisoner. Among the "few ill Men" arrested with him was Edward Randolph, who was particularly odious to the Bostonians because of his violent condemnation of them in a report to Charles II in 1680, in which he accused them of usurping the king's prerogative in government, of refusing the oath of allegiance, of protecting the "murderers" of Charles I, of insulting the king's commissioners, of violating the acts of trade and navigation, and, generally, of treating the king's letters "of no more account than an old number of the London *Gazette*." At the outbreak of the "Glorious Revolution" Randolph was promptly put in jail, whence he wrote (a month later) the following letter to the Governor of Barbados:

Gaol in Boston, May 16, '89

Sir,

By a heady multitude possessed with jealousyes that our Governor, Sir Edmund Andros, was a Papist and intended to bring in the French and Indians to cut off the inhabitants, a generall insurrection was intended and so perfected on the 18th of Aprill last, that the Governor hoping to secure himself in our fort, missed an opportunity of going aboard the Rose frigott [frigate], then at anchor in the harbour, and so being overpowered, wee were taken prisoners of warr, as the silly multitude told us. . . . We have, at this day, above 100 persons equally concerned as conservators of the peace, but their power signifies nothing, further than it pleases the people; sometymes they are for having their old magistrates reassume their former government; sometymes to form a new modell of government; but their being many more ready (and of necessity disposed) to pull down than build up, they know not what to be att. . . .

I must confess that there have been ill men from New York, who have too much studdied the disease of this people, and both in courts and councills they have not been treated well. However, nothing done can amount to countenance such an open rebellion . . . and the kingdome of England cannot loose this country nor govern it without some respect and allowance to the weaknes of those who are mislead, and the force of education and the bias of common prejudices. However we are at present as much distracted and as far from cementing into any sort of government as at the building of Babell. God onely keeps them from destroying us. . . .

Sir, I wish you all happiness and remain your humble servant

Ed. Randolph

The Proprietary Colonies

17. Two accounts of early New York, 1643, 1661

[59]

Isaac Jogues, a devoted Jesuit missionary to New France (Canada), was captured by a party of Mohawk Indians in 1642 on his way to his mission field among the Hurons. After a year of cruel torture and imminent fear of death,

as he was dragged from one Mohawk town to another, Jogues escaped from his captors and fled to the Dutch at Fort Orange (Albany). Thence he was sent down the Hudson to New Amsterdam (New York), where Governor Kieft received him kindly and gave him means to return to France. The zealous missionary came back to the new world, only to suffer martyrdom at the scene of his former tortures. Shortly before his death Jogues wrote the following description of New Netherland as he saw it in 1643:

New Holland — which the Dutch call, in Latin Novum Belgium, in their own language, Nieuw Nederland, that is to say New Netherlands — is situated between Virginia and New England. The entrance to the River which some call the River Nassau, or the great River of the North, to distinguish it from another which they call South River (and some charts, I believe, that I have recently seen, the River Maurice[1]) is in the latitude of 40 degrees, 30 minutes. Its channel is deep and navigable by the largest ships, which go up to Manhattes [Manhattan] Island, which is 7 leagues in circumference; thereon is a fort intended to serve as a nucleus for a town to be built, and to be called New Amsterdam. . . .

There may be, on the Island of Manhate and in its environs, about 4 or five hundred men of various sects and nations; the Director General told me that there were eighteen different languages represented. The inhabitants are scattered here and there, up and down the river, according as the beauty or convenience of a site appeals to each one to settle. Some artisans, however, who work at their trades, are located under cover of the fort: while all the rest are exposed to the incursions of the savages, who in the year 1643, when I was there, actually killed about forty Dutchmen and burned many houses, and barns filled with wheat.

[1] The Hudson, or North, River was called in the early days of New Netherland either the Nassau or the Maurice, after the Dutch general Prince Maurice of Nassau, who died in 1625. The South River was the Delaware.

The River, which is very straight, and flows directly from North to South, is at least a league wide before the Fort. The ships are at anchor in a bay which forms the other side of the island, and they can be defended by the Fort.

Shortly before I arrived there 3 large ships of 300 tons had come to load wheat. Two had received their cargo, but the 3d could not be laden because savages had burned part of the grain. These ships had sailed from the West Indies, where the West India Company usually maintains seventeen war ships.

There is no exercise of Religion except the Calvinist; and all but Calvinists are forbidden to enter the colony; still the orders are not obeyed, for besides Calvinists there are in this settlement Catholics, English Puritans, Lutherans, Anabaptists whom they call Mnistes (Mennonites), etc. When any one comes for the first time to dwell in the country they furnish him horses, cows, etc., and give him provisions — all which he repays when he is well settled: and as for lands, at the end of ten years he gives the Company of the West indies a tenth of the produce that he gathers.

This country has for limits on the New England side a River which they call the Fresh River, which serves as a boundary between them and the English;[1] nevertheless the English approach them very closely, preferring to have lands among the Dutch, who require nothing from them, to depending upon English Milords, who exact rents and like to put on airs of being absolute. On the other side — the Southern, toward Virginia — it has for limits the River which they call South River, on which there is also a Dutch settlement[2]; but at its entrance the Swedes have another, extremely well equipped with cannon and people. It is believed that these Swedes are maintained by Amsterdam merchants, incensed because the Company of the West Indies monopolizes all the trade of these regions. . . .

[1] The Fresh River (Connecticut) was named in 1614 by Adrian Block. For the boundary treaty between Dutch and English, see No. 18, p. 59.

[2] Fort Nassau (near Gloucester, New Jersey) on the Delaware, settled in 1623.

During about 50 years the Dutch have frequented these regions.[1] In the year 1615 the fort was begun; about 20 years ago they began to make a settlement: and now there is already some little trade with Virginia and New England.

The first arrivals found lands there quite suitable for use, already cleared by the savages, who tilled their fields there. Those who have come since have made clearings in the woods, which are commonly of oak. The lands are good. Deer hunting is abundant toward autumn. There are some dwellings built of stone: they make the lime with oyster shells, of which there are great heaps made in former times by the savages, who live in part by that fishery.

The climate there is very mild: as the region is situated at 40 and two thirds degrees, there are plenty of European fruits, as apples, pears, cherries. I arrived there in October, and even then I found many Peaches. Ascending the River as far as the 43d degree, you find the 2nd settlement [Albany], which the flow and Ebb of the tide reaches, but extends no further. Ships of 100 and a hundred and twenty tons can land there. . . .

Eighteen years after Jogues' visit another traveler passing through New Amsterdam wrote a "Description of the Towne of Mannadens," 1661. This brief document (discovered a few years ago in London) is anonymous. The author may have been one of the company of Governor Winthrop of Connecticut, who in the year the "Description" was written was commissioned to obtain a charter for Connecticut, and set sail from New Amsterdam in the Dutch vessel *De Trouw*. After describing the "Easter-side," the "Wester-side," and the "Souther-side or round-head" (Battery Point) of the town, the author continues:

Within the towne, in the midway between the N. W. corner and N. E. gate, the ground hath a smal descent on each side

[1] This is an exaggeration. The Dutch had "frequented" the regions for only about thirty years at the time of Jogues' visit in 1643.

much alike, and so continues through the towne unto the arme of water on the Easter-side of the Towne: by help of this descent they have made a gut almost through the Towne, keyed it on both sides with timber and boards as far in as the three small bridges: and near the coming into the gut they have built two firme timber bridges with railes on each side. At low water the gut is dry, at high water boats come into it, passing under the two bridges, and go as far as the 3 small bridges.[1] In the country stand houses in several places.

The bay between Long iland and the maine [sea] below the town and Southwest of Nut iland [Governor's Island] within the heads,[2] is 6 mile broad, and from the towne unto the heads 'tis 8 mile. . . .

The towne lyeth about 40 deg. lat., hath good air, and is healthy, inhabited with severall sorts of trades men and marchants and mariners, whereby it has much trade, of beaver, otter, musk, and other skins from the Indians and from the other towns in the River and Contry inhabitants thereabouts. For payment give wampen and Peage[3] many of the indians making, w^ch^ they receave of them for linnen cloth and other manufactures brought from Holland.

From Long iland they have beef, pork, wheat, butter, some tobacco, wampen and peage. From New England beef, sheep, wheat, flower, bisket, malt, fish, butter, cider-apples, tar, iron, wampen and peage. From Virginia, store of tobacco, oxhides dried, some beef, pork and fruit, and for payment give Holland and other linnen, canvage [canvas], tape, thrid [thread], cordage, brass, Hading cloth, stuffs, stockings, spices, fruit, all sorts of iron work, wine, Brandy, Annis, salt, and all useful manufactures. . . .

From Amsterdam come each year 7 or 8 big ships with passengers and all sorts of goods, and they lade back beaver

[1] The gut, or canal, ran through the present Broad Street, continuing north nearly to Beaver Street. It was constructed in 1657–1659 to drain the swamp on the east side of the town.

[2] The "heads" are the headlands (Dutch, *Hoofden*) of Staten Island and Bay Ridge just above the entrance to New York harbor, at the Narrows.

[3] Wampen and Peage = wampumpeag or wampum, the polished shell beads which the Indians used commonly for money.

and other skins, dry oxehides, and Virginia tobacco. Tis said that each year is carried from thence above 20000 sterl. value in beaver skins only.

The Governor of Manados and New Netherland [so called by the Hollanders] is called Peter Stazan [Stuyvesant]. He exerciseth his authority from thence southward [towards Virginia] as far as Dillow-bay [Delaware Bay], being about 40 leagues. The Suedes had a plantation in Dillow-bay formerly; but of late years the Hollanders went there [1655], dismissed the Suedes, seated themselves there, have trade for beaver, etc. He exercises also authority Eastwards towards New England unto West Chester, w^{ch} is about 20 miles and inhabited by English. Also on Long iland inhabitants as far as Osterbay [Oyster Bay]. . . . The said iland is in length 120 miles east and west, betw een 40 and 41 deg. lat., a good land and healthy. The other part of the said iland Eastward from Osterbay is under the authority of the New England Colonies, as it stretches itself on their coast. The christian inhabitants are most of them English.

18. Rivalry between Dutch and English in the Connecticut valley, 1627-1650

[60]

In the early days of the Dutch settlement at New Amsterdam kindly feelings existed between them and the Pilgrim settlers at Plymouth, as the following extract from Governor Bradford's "Letter-book"[1] attests, written in answer to a letter from Isaac de Rasieres, Secretary of the Colony at New Amsterdam, March 19, 1627.

To the Honourable and Worshipful the Director and Council of New Netherland, our very loving and worthy friends and christian neighbours.

The Governour and Council of Plymouth in New England wish your Honours and Worships all happiness, and prosperity in this life, and eternal rest and glory with Christ Jesus our Lord in the world to come.

[1] This letter book like the manuscript of "Plimoth Plantation" (see No. 13, p. 34) disappeared from its place of deposit in the tower of the Old South Church, Boston, at the time of the American Revolution. It was found in a mutilated condition in a grocer's shop in Halifax, in 1894, and published by the Massachusetts Historical Society.

We have received your letters wherein appeareth your good will and friendship toward us, but is expressed with overhigh titles, and more than belongs to us, or than is meet for us to receive: But for your good will and congratulation of our prosperity in this small beginning of our poor colony, we are much bound unto you, and with many thanks do acknowledge the same. . . . It is to us no small joy to learn that it hath pleased God to move his Majesty's heart to confirm that ancient amity, alliance and friendship, and other contracts formerly made . . . the better to resist the pride of that common enemy the Spaniards, from whose cruelty the Lord keep us both, and our native countries. Now forasmuch as this is sufficient to unite us together in love, and good neighborhood in all our dealings; yet are many of us further tied by the good and courteous entreaty [treatment] which we have found in your country; having lived there many years with freedom and good content. . . . Likewise for your friendly proposition and offer to accommodate and help us with any commodities and merchandize which you have and we want, either for beaver, otters, or other wares, is to us very acceptable, and we doubt not but in short time, we may have profitable commerce and trade together: But you may please to understand that we are but particular colony or plantation in this land, there being divers others besides, whom it hath pleased those Honorable Lords of his Majesty's Council for New England to grant the like commission and ample privilege to them (as to us) for their better profit and subsistence. . . . Yet for our parts, we shall not go about to molest or trouble you in any thing . . . only we desire that you would forbear to trade with the natives in this bay and river of Narragansett and Sowames which is (as it were) at our doors.

May it please you further to understand, that for this year we are fully supplied with all necessaries, both for clothing and other things; but it may fall out that hereafter we shall deal with you, if your rates be reasonable. . . .

Thus hoping that you will pardon and excuse us for our rude and imperfect writing in your language, and take it in good part; because for want of use [practice], we cannot so

well express that we understand; nor happily understand everything so fully as we should. And so we humbly pray the Lord, for his mercy's sake, that he will take both us and our native countries, into his holy protection and defence. Amen.

By the Governour and Council,
your Honours' and Worships' very
good friends and neighbours

New Plymouth, March 19th

"After this," as the historian Bradford writes, "ther was many passages between them both by letters and other entercourse, and they had some profitable commerce together for diverce years till other occasions interrupted the same." The "other occasions" were signs of rivalry between the Dutch and the English for the valley of the Connecticut River. The Dutch built Fort Good Hope (on the site of Hartford), but did not have sufficient men to hold it. The English then

invaded and usurped the entire Fresh river, and finally sunk so low in shamelessness that they seized in the year 1640 the Company's land around the Fort . . . beat the Company's people with sticks and clubs . . . forcibly threw their plows and other implements into the river . . . and impounded their horses.

In July, 1649, the Dutch of New Netherland sent a *Remonstrance* to the States General in Holland, recounting these outrages and asserting the claim of the Dutch to the Fresh River.

In the beginning, before the English were ever spoken of, our people, as we find it written, first carefully explored and discovered the northern parts of New Netherland and some distance on the other side of Cape Cod. And even planted an ensign on, and took possession of Cape Cod. Anno 1614, our traders not only trafficked at the Fresh River, but had also ascended it before any English people had ever dreamed of

coming there; the latter arrived there for the first time in the year 1636, after our Fort Good Hope had been a long time in existence, and almost all the land on both sides of the river had been bought by our people from the Indians, which purchase took place principally in the year 1632: and Kievits hook [Saybrook Point] was purchased at that time also by one Hans Eencluys, an officer of the Company. The State's arms were also affixed at this Hook to a tree in token of possession, but the English, who still occupy the Fresh River, threw them down, and engraved a fool's face in their stead. Whether this was done by authority or not we cannot say: such is probable and no other than an affirmative opinion can be entertained; this much has come to pass — they have been informed of it in various letters, which have never produced any result; but they have in addition, *contra jus gentium per fas et nefas*,[1] invaded the whole, because, as they say, the land lay unoccupied and waste, which was none of their business, and, besides, was not true; for on the river a fort had already been erected, which continued to be occupied by a garrison. Adjoining the fort was also a neat bouwery [farm] belonging to the Dutch or the Company; and most of the land was purchased and owned. . . .

All the villages settled by the English from New Holland or Cape Cod unto Stamford, within the Dutch limits, amount to about thirty, and may be estimated at nearly five thousand persons capable of bearing arms; their goats and hogs cannot be stated. . . . There are divers places which cannot be well put down as villages and yet are the beginnings of them. Among the whole of these, the Rodenbergh or New Haven is the principal; it has a governor, contains about thirteen hundred and forty families, and is a province or member of New England,[2] there being four in all. This place was begun eleven years ago, in the year 1638, and they have since hived further out and formed Milford, Stratford, Stamford and the Trading House already referred to.

[1] "Contrary to the law of nations, and right or wrong."

[2] That is, the New England Confederation, formed in 1643 by the colonies of Massachusetts, Plymouth, Connecticut, and New Haven.

Director Kieft hath caused divers protests, both in Latin and other languages to be served on these people, commanding them . . . to desist from their proceedings and usurpations; and in case of refusal warning them thereby that satisfaction should be required of them, some time or other, according as circumstances might allow; but it was knocking at a deaf man's door, for they did not heed it, nor give it any attention; . . . General Stuyvesant hath also had repeated differences with them on this subject, but it remains *in statu quo*. The farthest that they have ever been willing to come is, to declare that the matter could never be arranged in this country, and that they were content and very desirous that their High Mightinesses[1] should arrange it with their Sovereigns; and this is very necessary, inasmuch as the English already occupy and have seized nearly the half of New Netherland . . . so it is earnestly to be desired that their High Mightinesses would please to press this matter before it proceed further, and the breach become irreparable.

In the year following this spirited protest (1650) commissioners from Governor Stuyvesant and the New England colonies agreed on a boundary line between New Netherland and New England.

Articles of agreement made and concluded at Hartford upon Connecticut, Sept. 19, 1650, betwixt the delegates of the honored commissioners of the united English colonies, and the delegates of Peter Stuyvesant, governor generall of Newe Netherlands. Concerning the bounds and lymits betwixt the Englishe united Collonies and the Dutch province of New Netherlands, wee agree and determine as followeth.

1. That upon Long-Island a Line run from the westermost part of Oyster-bay and so in a streight and direct line to the sea, shall be the bounds betweene the Englishe and the Dutch there: the easterly part to belonge to the English, the westermost part to the Dutch.

[1] The States General of the Netherlands.

2. The bounds upon the maine [main-land] to begin upon the west side of Greenwich bay, being about 4 miles from Stamford, and so to run a westerly line 20 miles up into the country, and after as it shall be agreed by the two governments of the Dutch and Newe Haven, provided the said line runn not within tenn miles of Hudson's river. . . .

3. That the Dutch shall hould and enjoy all the lands in Hartford that they are actually in possession of, knowne or sett out by certaine merkes [marks] and boundes, and all the remainder of said lands on both sides of Connecticut river, to be and remaine to the English there.

And it is agreed that the aforesaid bounds and lymyts . . . shall be observed . . . both by the Englishe of the united Collonies and all the Dutch nation, without any encroachment or molestation, until a full determination be agreed upon in Europe, by mutual consent of the two states of England and Holland. . . .

Symon Bradstreete — Tho: Willet
Tho: Bruce — Theo: Baxter

19. New Netherland becomes New York, 1664

[60]

Between 1650 and 1675 rivalry for the carrying trade of the world gave rise to three wars between Holland and England. An incident in this struggle was the seizure of New Netherland, in 1664, by an English expedition and the transfer of the control of the Dutch colony to the King's brother, James, Duke of York. The town council of New Amsterdam described the surrender of the colony to the English in the following letter written to the Directors of the West India Company at Amsterdam:

Right Honorable Lords:

We, your Honors' loyal, sorrowful, and desolate subjects cannot neglect nor keep from relating the event, which through God's pleasure thus unexpectedly happened to us in consequence of your Honors' neglect and forgetfulness of your promise — to wit, the arrival here, of late, of four King's frigates from England, sent hither by his Majesty and his brother, the Duke of York, with commission to reduce not only this place, but also the whole

New Netherland under his Majesty's authority, whereunto they brought with them a large body of soldiers, provided with considerable ammunition. On board of one of the frigates were about four hundred and fifty as well soldiers as seamen, and the others in proportion.

The frigates being come together in front of Najac in the Bay,[1] Richard Nicolls, the admiral, who is ruling here at present as Governor, sent a letter to our Director General [Stuyvesant], communicating therein the cause of his coming and his wish. On this unexpected letter, the General sent for us to determine what was to be done herein. Whereupon it was resolved and decided to send some commissioners thither to argue the matter with the General [Nicolls] and his commissioners, who were so sent for this purpose twice, but received no answer, than that they [the English] were not come here to dispute about it, but to execute their order and commission without fail, either peaceably or by force, and if they [the Dutch] had anything to dispute about it, it must be done with His Majesty of England. . . .

But meanwhile they were not idle; they approached with their four frigates, two of which passed in front of the fort, the other anchored about Nooten [Governor's] Island, and with five companies of soldiers encamped themselves at the ferry, opposite this place, together with a newly raised company of horse and a party of new soldiers, both from the North and from Long Island, mostly our deadly enemies, who expected nothing else than pillage, plunder, and bloodshed, as men could perceive by their cursing and talking, when mention was made of a capitulation.

Finally, being then surrounded, we saw little means of deliverance; we resolved what ought to be here done, and after we had well inquired into our strength and had found it to be full fifteen hundred souls strong in this place, but of whom not two hundred and fifty men are capable of bearing arms exclusive of the soldiers, who were about one hundred and fifty strong, wholly unprovided with powder both in the city and in the fort; yea, not more than six hundred pounds were found in the fort, besides seven hundred pounds unserviceable; also because the farmers, the third

[1] Nyack or Gravesend Bay, just below the Narrows, between New Utrecht and Coney Island.

man of whom was called out, refused, we with the greater portion of the inhabitants considered it necessary to remonstrate with our Director General and Council, that their Honors might consent to a capitulation, whereunto we labored according to our duty and had much trouble; and laid down and considered all the difficulties, which should arise from our not being able to resist such an enemy, as they besides could receive a much greater force than they had under their command.

The Director Generall and Council at length consented thereunto, whereto commissioners were sent to the admiral, who notified him that it was resolved to come to terms in order to prevent the shedding of blood, if a good agreement could be concluded. Six persons were commissioned on each side for this purpose to treat on this matter, as they have done and concluded in manner as appears by the articles annexed. How that will result time shall tell.

Meanwhile, since we have no longer to depend on your Honors' promises of protection, we, with all the poor, sorrowing and abandoned commonalty here, must fly for refuge to Almighty God, not doubting but He will stand by us in this sorely afflicting conjunction and no more depart from us: And we remain

Your sorrowful and abandoned subjects
Pieter Tonneman [and six others]

Done in Jorck [York] heretofore named Amsterdam in New Netherland Anno 1664, the 16th September.

The "articles annexed," to which the councilmen refer, granted very liberal terms to the surrendered Dutchmen. Even the stern old Governor Stuyvesant came back from Holland to live under the English government at his farm, the "Great Bouwery," until his death in 1672. In the articles it was stated that . . .

3. All people shall still continue free denizens, and enjoy their lands, houses, goods, shipps, wheresoever they are within this country. . . .

4. If any inhabitant have a mind to remove himself he shall have a year and six weeks from this day to remove himself, wife, children, servants, goods, and to dispose of his lands here.

6. . . . Dutch vessels may freely come hither, and any of the Dutch may freely return home, or send any sort of merchandise home in vessels of their own country.

8. The Dutch here shall enjoy the liberty of their consciences in divine worship and Church discipline.

9. No Dutchman here, or Dutch ship here, shall, upon any occasion be prest to serve in war, against any nation whatever.

10. That the townsmen of the Manhatoes [Manhattan] shall not have any soldier quartered upon them without being satisfied and paid for them by their officers. . . .

21. That the town of Manhatans shall choose Deputies, and those Deputies shall have free voices in all public affairs, as much as any other Deputies.

20. The rise of the Quakers, about 1650

[63]

During the course of the American Revolution, Robert Proud of Philadelphia wrote, and dedicated to the "descendants of the first colonists and early settlers," his "History of Pennsylvania" (1776–1780), in which he gives the following account of the rise of the Society of Friends, or the Quakers.[1]

Near the middle of the 17th century, during the civil war, in England, when men were tearing each other in pieces, and when confusion and bloodshed had overspread the nation, many sober and thinking persons of the different religious societies, weighing the uncertainty of human affairs, and beholding the various vicissitudes in the political system, after having examined

[1] "The name of *Quakers*, or *Tremblers*, hath been in reproach, by their enemies cast upon them, which serveth to distinguish them from others, *though not assumed by them*: yet as the *Christians* of old, albeit the name of *Christian* was cast upon them by way of reproach, gloried in it, as desiring above all things to be accounted the followers of *Christ*; so they also are glad the world reproacheth them as such, who *tremble before the Lord, and who work out their salvation in fear and trembling*." Robert Proud, History of Pennsylvania, Philadelphia, 1797, Vol. I, p. 30, note.

the many vain and futile opinions, and absurd customs, in religion, which were either imposed, practised, or insisted on by the various professors of *Christianity*, under all denominations, in that country, withdrew themselves from their assemblies for divine worship; and having their minds turned to what appeared to them more rational, and consistent with a rightly informed understanding, and a life more congruous, or agreeable, to the mind of that Deity which is spiritual, and communicates his goodness and knowledge more nearly through a medium of his own nature; and places the human mind above the reach of terrestrial influence; they thence fell into that practical belief, and *christian* conduct, which gave rise to this religious society.

It was not until the year 1650 that the name of *Quakers* was imposed on them; who had before generally gone under the denomination of *professors*, or *children*, of the *light*; but the most common appellation, by which they distinguish themselves from others, even to this day, is by the name of *Friends*. . . .

This is the *first and chiefest principle* held by them, *viz.*: That there is somewhat of God, some light, some grace, some power, some measure of the spirit, some divine, spiritual, heavenly, substantial life and virtue, in all men; which . . . leads, draws, moves and inclines the mind of man to righteousness, and seeks to leaven him, as he gives way thereto, into the nature of itself. . . . And in affirming of this, they do not at all exalt *self*, or *nature*, as do the Socinians [Unitarians]; in that they freely acknowledge that man's nature is defiled and corrupted, and unable to help him one step, in order to salvation. . . . Nor do they believe this seed, light and grace to be any part of man's nature . . . , but that it is a free grace and gift of God, freely given to *all men*, in order to bring them out of the *fall*, and lead them to life eternal. . . .

Consistent with the nature of this *universal principle* . . . appears to be their worship; which, according to the account of it given by themselves, was more divested of those numerous external and bodily exercises and performances, which either the ignorance or ingenuity of men had introduced, under the specious pretence of thereby rendering themselves more acceptable to a *Spiritual Being*, than that of any other religious societies

known to them, at that time, under the name of *Christians*: —a worship which they professed to be *spiritual*, and performed in the mind; not being confined to particular persons, times, places, nor ceremonies . . . according to the *New Testament*, which expressly declares, "*that the worship of God ought to be performed in spirit and in truth.*" This is the only precept, or declaration, concerning *divine worship*; and the manner of it, which is left us by the author of *Christianity*. . . .

Of their ministers and ministry, W. Penn speaks as follows: "They were changed men themselves before they went abroad to change others. Their hearts were rent as well as their garments; and they knew the power and work of God upon them. . . .

"They coveted no man's silver, gold, nor apparel; sought no man's goods; but sought them, and the salvation of their souls: whose hands supplied their own necessities, working honestly for bread, for themselves and families. . . .

"The bent and stress of their ministry was *conversion* to God, *regeneration* and *holiness*. Not schemes of doctrines and verbal creeds. . . .

"They did not shew any disposition to revenge, when it was at any time in their power, but forgave their cruel enemies; shewing mercy to those, who had none for them. . . .

"Their known great constancy and patience in suffering . . . and that sometimes unto death, by beatings, bruisings, long and crowded imprisonments, and noisesome dungeons. Four of them in *New England* dying by the hands of the executioner, purely for preaching among that people.

"Their plainness with those in authority, like the ancient prophets, not fearing to tell them to their faces, of their private and public sins: and their prophecies to them of their afflictions and downfall, when in the top of their glory: — Also for some national judgments: as of the *plague* and *fire* of *London*, in express terms."

They disused vain compliments and flattering titles, bowing, kneeling, and uncovering the head to mankind. . . . They also used the plain language of *thou* and *thee* to a single person, whatever was his degree among men. . . . Nor could they humour the custom of *good night*, *good morrow*, *God speed*: for

they knew the *night* was good, and the *day* was good, without wishing of either; and that, in the other expression, the holy name of God was *too lightly*, and unthoughtfully used, and therefore taken *in vain*. . . . Their *disuse of all gaming*, and *vain sports*; as the frequenting of *plays*, *horse-races*, &c., was a custom strictly and constantly adhered to by them. . . . Their entire disuse of *going to law* with one another was a singular instance of their uniform practice of *christian love and charity*. . . . The last thing that I shall mention is *their maintaining all their own poor, at their own expence* . . . (besides contributing toward the support of the poor of other societies in all common *poor rates* or *taxes*): insomuch that no such thing as a common beggar was permitted, or known, to be among them, of that society.

An example of the sufferings of these unoffending people years before William Penn opened a refuge for them in the colony of Pennsylvania is furnished by the following letter of King Charles II to the authorities of New England:

Trusty and Wellbeloved. Wee greet you well, —
Having been informed that severall of our Subjects amongst you, Called Quakers, have been & are Imprisoned by you, whereof some have been Executed, & others (as hath been represented to us) are in danger to undergoe the Like; Wee have thought fitt to signify our Pleasure in that behalf for the future, And do hereby Require, that if there be any of those People called Quakers amongst you, now allready Condemned to suffer Death, or other Corporall Punishments, or that are Imprisoned, & obnoxious to the like Condemnation, you forbeare to Proceed any farther therein, But that you forthwith send the said Persons, whether Condemned or Imprisoned, over into this our Kingdom of England, together with ther respective Crimes or offenses laid to ther Charge, to the end such course may be taken with them here, as shalbe agreeable to our Lawes & theire Demerrits. And for soe doing, these our Letters shalbe your warrent & sufficient Discharge.

Given at our Court at White Hall the 9th day of September 1661 in the 13 yeare of our Reigne

21. Peopling a new colony, 1681–1683 [64]

No other colony in the seventeenth century was so widely, wisely, or honestly advertised as the great domain (almost as large as England itself) granted to William Penn by the very liberal terms of Charles II's Charter, March 4, 1681. Scarcely a month after the grant, Penn wrote a prospectus for his new colony, under the title "Some Account of the Province of Pennsilvania," which appeared immediately on the continent in Dutch and German translations. When Penn sailed himself for America, in August, 1682, over 600,000 acres of his land had been sold.

SOME ACCOUNT OF THE PROVINCE OF PENNSILVANIA IN AMERICA; LATELY GRANTED UNDER THE GREAT SEAL OF ENGLAND TO WILLIAM PENN, ETC. TOGETHER WITH PRIVILEDGES AND POWERS NECESSARY TO THE WELL-GOVERNING THEREOF. MADE PUBLICK FOR THE INFORMATION OF SUCH AS ARE OR MAY BE DISPOSED TO TRANSPORT THEMSELVES OR SERVANTS INTO THOSE PARTS. LONDON: PRINTED AND SOLD BY BENJAMIN CLARK, BOOKSELLER, IN GEORGE-YARD, LOMBARD-STREET, 1681

Since (by the good providence of God) a Country in America is fallen to my lot, I thought it not less my Duty than my honest Interest to give some publick notice of it to the World, that those of our own or other Nations, that are inclined to transport themselves or Families beyond the Seas, may find another Country added to their choice, that if they shall happen to like the Place, Conditions, and Constitutions (so far as the present Infancy of things will allow us any prospect), they may, if they please, fix with me in the Province hereafter describ'd. . . .

Next let us see, What is fit for the Journey and Place, when there, and also what may be the Charge of the Voyage, and what is to be expected and done there at first. That such as incline to go, may not be to seek here, or brought under any disappointments there. The goods fit to take with them for

use, or sell for profit, are all sorts of Apparel and Utensils for Husbandry and Building and Household Stuff. And because I know how much People are apt to fancy things beyond what they are, and that Immaginations are great flatterers of the minds of Men; To the end that none may delude themselves with an expectation of an Immediate Amendment of their Conditions, so soon as it shall please God they arrive there: I would have them understand, That they must look for a Winter before a Summer comes; and they must be willing to be two or three years without some of the conveniences they enjoy at home: And yet I must needs say that America is another thing than it was at the first Plantation of Virginia and New-England: For there is better Accommodation, and English Provisions are to be had at easier rates: However, I am inclin'd to set down particulars, as near as those inform me, that know the place, and have been Planters both in that and in the Neighbouring Colonys.

1st. The passage will come for Masters and Mistresses at most to 6 Pounds a Head, for Servants five Pounds a Head, and for Children under Seven years of Age fifty Shillings, except they suck, then nothing.

Next being by the mercy of God arrived safely in September or October, two Men may clear as much Ground by Spring (when they set the Corn in that Country) as will bring in that time twelve month 40 Barrels, which amounts to two Hundred Bushels. . . . So that the first year they must buy Corn, which is usually very plentiful. They may so soon as they are come, buy Cows, more or less, as they want, or are able, which are to be had at easy rates. For Swine, they are plentiful and cheap; these will quickly increase to a stock. So that after the first year . . . they may do very well, till their own Stocks are sufficient to supply them and their Families, which will quickly be and to spare, if they follow the English Husbandry, as they do in New-England and New-York. . . .

To conclude, I desire all my dear Country-Folks, who may be inclin'd to go into those Parts, to consider seriously the premises, as well the present inconveniences, as future ease

and Plenty, so that none may move rashly or from a fickle, but solid mind, having above all things, an Eye to the Providence of God, in the disposal of themselves. . . .

William Penn

Postscript:

Whoever are desirous to be concern'd with me in this Province, they may be treated with and further Satisfied, at Philip Fords in Bow Lane in Cheapside, and at Thomas Rudyards or Benjamin Clarks in George Yard in Lumbard-street.

One of the most enthusiastic advertisers of Penn's colony was a very cultivated German lawyer, Francis Daniel Pastorius, who emigrated to Philadelphia in 1683 as the agent of a group of Frankfort pietists who had purchased 15,000 acres of land in the new province. Pastorius lived in Germantown, as its chief citizen, till his death in 1719 or 1720. In his "Circumstantial Geographical Description of Pennsylvania," published at Frankfort and Leipzig in 1700, after describing the discovery of the province and the grant of the charter to Penn, Pastorius continues:

On November 1, 1682, William Penn arrived in this province with twenty ships, having spent six weeks upon the voyage. Even while they were yet far from the land there was wafted to them as delightful a fragrance as if it came from a freshly blossoming garden. He found on his arrival no other Christian people save those alone who on the discovery of the province had been put there.[1] Part of them dwelt in New-Castle, and part upon separate plantations. Penn was received as their ruler by these people with especial tokens of affection, and they most willingly discharged their obligation of submission

[1] This is an error. There were English, Dutch, French, Swedes, and Indians in the province when Penn arrived. They had come especially from the Dutch and Swedish settlements on the Delaware.

to him.[1] All that he required of them in return was: A temperate life and neighborly love. On the other hand, he promised to protect them in both spiritual and temporal matters.

Firstly, no one shall be disturbed on account of his belief, but freedom of conscience shall be granted to all inhabitants of the province, so that every nation may build and conduct churches and schools according to their desires.

2. Sunday shall be consecrated to the public worship of God. The teaching of God shall be so zealously carried on that its purity can be recognized in each listener from the fruits which arise from it.

3. For the more convenient bringing up of the youth, the solitary farmers living in the province shall all remove to the market-towns, so that the neighbors may help one another in a Christlike manner and praise God together, and that they may accustom their children also to do the same.

4. The sessions of the court shall be held publicly, at appointed times, so that everyone may attend them.

5. Justices of the peace shall be appointed in the rising cities and market-towns, to ensure the observance of the laws.

6. Cursing, blasphemy, misuse of the name of God, quarrelling, cheating, drunkenness, shall be punished with the pillory.

7. All workmen shall be content with their stipulated wages.

8. Each child, that is twelve years of age, shall be put to some handicraft or other honorable trade.

The Governor William Penn laid out the city of Philadelphia between the two streams de la Ware [Delaware] and Scolkis [Schuylkill] and gave it this name, as if its inhabitants should lead their lives there in pure and simple brotherly love. . . .

My company consisted of many sorts of people. There was a doctor of medicine, with his wife and eight children, a French captain, a Low Dutch cake-baker, an apothecary, a glass-blower, a mason, a smith, a wheelwright, a cabinet-maker, a cooper, a hat-maker, a cobbler, a tailor, a gardener, farmers, seamstresses, etc.,

[1] On landing from the ship *Welcome* at New Castle, Penn received the symbols of his feudal lordship of the province — turf, twig, and water, signifying dominion over the soil, the products, and the ways of travel in the land.

in all about eighty persons besides the crew. They were not only different in respect to age . . . and in respect to their occupations, but were also of such different religions and behaviors that I might not unfittingly compare the ship that bore them hither with Noah's Ark, but that there were more unclean than clean [rational] animals to be found therein. In my household I have those who hold to the Roman, to the Lutheran, to the Calvinistic, to the Anabaptist, to the Anglican church, and only one Quaker. . . .

On the 20th of August we arrived at evening, praise God, safely at Philadelphia, where I on the following day delivered to William Penn the letters that I had, and was received by him with amiable friendliness. Of that very worthy man and famous ruler I might properly write many things; but my pen (though it is from an eagle, which a so-called savage lately brought to my house) is much too weak to express the high virtues of this Christian — for such he is indeed. He often invites me to his table, and has me walk and ride in his always edifying company. . . . He heartily loves the Germans, and once said openly in my presence to his councillors and those who were about him, I love the Germans and desire that you also should love them. . . .

On October 24, 1685 [1683] I, Francis Daniel Pastorius, with the good will of the governor, laid out another new city, of the name of Germanton, or Germanopolis, at a distance of two hours' walk from Philadelphia, where there are a good black fertile soil and many fresh wholesome springs of water, many oak, walnut, and chestnut trees, and also good pastorage for cattle. The first settlement consisted of only twelve families of forty-one persons, the greater part High German mechanics and weavers, because I had ascertained that linen cloth would be indispensable.

I made the main street of this city sixty feet wide, and the side streets forty: the space or ground-plot for each house and garden was as much as three acres of land, but for my own dwelling twice as much. Before this I had also built a little house in Philadelphia, thirty feet long and fifteen wide. Because of the scarcity of glass the windows were of oiled paper. Over the house-door I had written:

Parva Domus, sed amica Bonis, procul este profani
[A small house but friendly to the good: depart ye profane]

Whereat our Governor, when he visited me, burst into laughter, and encouraged me to keep on building.

I have also acquired for my High-German Company fifteen thousand acres of land in one piece, on condition that, within a year, they shall actually place thirty households thereon. . . .

It would therefore be a very good thing if the European associates should at once send more persons over here for the common advantage of the Company: for only the day before yesterday the governor said to me that the zeal of his High-Germans in building pleased him very much, and that he preferred them to the English, and would grant them special privileges.

The Colonies in the Eighteenth Century

22. The First Navigation Act, 1660

[70]

"The design in the settlement of colonies," remarked the French political philosopher, Montesquieu, "was the extension of commerce and not the foundation of a new empire." The British Navigation Acts furnish ample proof of the truth of this statement. Rivalry with the Dutch for the colonial carrying trade of the world led the English Parliament, about the middle of the seventeenth century, to begin a series of enactments for the strict regulation and control of English commerce, with the purpose of securing all the colonial trade for the mother country. One of the most important of these acts was passed in the year of the Restoration of the Stuarts (1660), and is known as the First Navigation Act.

AN ACT FOR THE ENCOURAGEING AND INCREASING OF SHIPPING AND NAVIGATION

[I] For the increase of Shiping and incouragement of the Navigation of this Nation, wherin under the good providence and protection of God the Wealth Safety and Strength of this Kingdome is soe much concerned Bee it Enacted by the Kings most Excellent Majesty and by the Lords and Commons

in this present Parliament assembled and the Authoritie therof. That from and after the first day of December One thousand six hundred and Sixty and from thence forward noe Goods or Commodities whatsoever shall be Imported into or Exported out of any Lands Islelands Plantations or Territories to his Majesty belonging or in his possession or which may hereafter belong unto or be in the possession of his Majesty His Heires and Successors in Asia Africa or America in any other Ship or Ships Vessell or Vessells whatsoever but in such Ships or Vessells as doe truly and without fraud belong onely to the people of England or Ireland Dominion of Wales or Towne of Berwicke upon Tweede, or are of the built of, and belonging to any of the said Lands Islands Plantations or Territories as the Proprietors and right owners therof and wherof the Master and three fourths of the Marriners at least are English under the penalty of the Forfeiture and Losse of all the Goods and Commodityes . . . as of alsoe the Ship or Vessell with all its Guns Furniture Tackle Ammunition and Apparell. . . .

[IV] And it is further Enacted . . . that noe Goods or Commodityes that are of forraigne growth production or manufacture and which are brought into England Ireland Wales . . . in English built Shipping . . . and navigated by English Mariners as abovesaid shall be shipped or brought from any other place or Places, Country or Countries but onely from those of their said Growth Production or Manufacture, or from those ports where the said Goods and Commodityes can onely or are or usually have beene first shiped for transportation. . . . Under the penalty of the forfeiture of all such of the aforesaid Goods as shall be Imported from any other place or Country . . . as alsoe of the Ship in which they were imported with all her Guns Furniture Ammunition Tackle and Apparel. . . .

[VIII] And it is further Enacted . . . That noe Goods or Commodityes of the Growth Production or Manufacture of Muscovy or of any of the Countryes Dominions or Territories to the Great Duke or Emperor of Muscovia or Russia belonging, As alsoe that noe sorts of Masts Timber or boards noe forraigne Salt Pitch Tar Rozin Hempe or Flax Raizins Figs Prunes Olive Oyles noe Corne or Graine Sugar Pot-ashes Wines

Vinegar or Spirits called Aqua-vite or Brandy Wine shall from and after [April 1, 1661] . . . be imported into England . . . in any Ship or Ships Vessel or Vessells whatsoever but in such as doe truly and without fraude belong to the people therof . . . as the true Owners and proprietors therof, and wherof the Master and Three Fourths of the Mariners at least are English. . . .

[XVIII] And it is further Enacted . . . That from and after [April 1, 1661] . . . noe Sugars Tobaccho Cotton Wool Indicoes Ginger Fustick or other dyeing wood of the Growth Production or Manufacture of any English Plantations in America Asia or Africa shall be shiped carried conveyed or transported from any of the said English Plantations to any Land Island Territory Dominion Port or place whatsoever other than to such English Plantations as doe belong to His Majesty . . . or to the Kingdome of England or Ireland or Principallity of Wales or Towne of Berwick upon Tweede there to be laid on shore under the penalty of the Forfeiture of the said Goods or the full value thereof, as alsoe of the Ship with all her Guns Tackle Apparel Ammunition and Furniture. . . .

[XIX] And be it further Enacted . . . That for every Ship or Vessell which from and after [December 25, 1660] . . . shall set saile out of England . . . for any English Plantation in America Asia Africa sufficient bond shall be given . . . to the chiefe officers of the Custome house of such Port or place from whence the said ship set saile to the value of one thousand pounds if the Ship shall be of lesse burthen then one hundred Tuns, and of the summe of two thousand pounds if the Ship shal be of greater burthen. That in case the said Ship or Vessell shall loade any of the said Commodityes at any of the said English Plantations, that the same Commodityes shall be by the said Ship brought to some port of England . . . and shall there unload and put on shore the same, the danger of the Seas onely excepted. . . .

23. Observations of two foreign visitors, 1748–1760

[72]

Peter Kalm, Professor in the University of Abo, in Swedish Finland, and the Reverend Andrew Burnaby, Archdeacon of Leicester, England, made tours through the "middle settlements" in North America in the years

1748–1749 and 1759–1760 respectively. The Swedish professor was particularly interested in the natural history of America, but turned aside often to make "several curious and important remarks on various subjects." Reaching New York, he writes:

The king appoints the governor according to his royal pleasure, but the inhabitants of the province make up his excellency's salary. Therefore a man entrusted with this place has greater or lesser revenues, according as he knows how to gain the confidence of the inhabitants. There are examples of governors in this, and other provinces of *North America*, who by their dissensions with the inhabitants of their respective governments, have lost their whole salary, his Majesty having no power to make them pay it. . . .

Each *English* Colony in *North America* is independent of the other, and each has its proper [own] laws and coin, and may be looked upon in several lights as a state by itself. From hence it happens, that in time of war, things go on very slowly and irregularly here: for not only the sense of one province is sometimes directly opposite to that of another; but frequently the views of the governor and those of the assembly of the same province are quite different: so that it is easy to see that, while the people are quarrelling about the best and cheapest manner of carrying on the war, an enemy has it in his power to take one place after another. It has commonly happened that whilst some provinces have been suffering from their enemies, the neighboring ones were quiet and inactive, and as if it did not in the least concern them. They have frequently taken up two or three years in considering whether they should give assistance to an oppressed sister colony, and sometimes they have expressly declared themselves against it. There are instances of provinces who were not only neuter [neutral] in these circumstances, but who even carried on a great trade with the power which at that very time was attacking and laying waste some other provinces.

The *French* in *Canada*, who are but an inconsiderable body, in comparison with the *English* in *America*, have by this position

of affairs been able to obtain great Advantages in times of war; for if we judge from the number and power of the *English*, it would seem very easy for them to get the better of the *French* in *America*. It is however of great advantage to the crown of *England*, that the *North American* colonies are near a country, under the government of the *French*, like *Canada*. There is reason to believe that the king was never earnest in his attempts to expel the *French* from their possessions there; though it might have been done with little difficulty. For the *English* colonies in this part of the world have encreased so much in their number of inhabitants, and in their riches, that they almost vie with *Old England*. Now in order to keep up the authority and trade of their mother country, and to answer several other purposes, they are forbid to establish new manufactures which would turn to the disadvantage of the *British* commerce: they are not allowed to dig for any gold or silver, unless they send them to *England* immediately: they have not the liberty of trading to any parts that do not belong to the *British* dominions, excepting some settled places, and foreign traders are not allowed to send their ships to them. These and some other restrictions occasion the inhabitants of the *English* colonies to grow less tender for their mother country. This coldness is kept up by the many foreigners such as *Germans*, *Dutch*, and *French* settled here, and living among the *English*, who commonly have no particular attachment to *Old England*. . . .

I have been told by *Englishmen*, and not only by such as were born in *America*, but even by such as came from *Europe*, that the *English* colonies in *North America*, in the space of thirty or fifty years, would be able to form a state by themselves,[1] entirely independent on *Old England*. But as the whole country which lies along the sea-shore is unguarded, and on the land side is harrassed by the *French*, in times of war these dangerous neighbors are sufficient to prevent the connection of the colonies with their mother country from being quite broken off. The *English* government has therefore sufficient reason to

[1] It was actually less than thirty years from the date of Kalm's writing (1748) that the colonies, by throwing off the allegiance to England, formed "a state by themselves."

consider the *French* in *North America* as the best means of keeping the colonies in their due submission.

The Reverend Archdeacon, after rather caustic criticisms of the manners and institutions of the colonists, in his journey from Virginia to Massachusetts Bay, ends his story with the following pessimistic estimate of the colonies as a whole:

America is formed for happiness but not for empire: in a course of 1200 miles I did not see a single object that solicited charity, but I saw insuperable causes of weakness, which will necessarily prevent its being a potent state.

Our colonies may be distinguished into the southern and northern, separated from each other by the Susquehannah and that imaginary line which divides Maryland from Pensylvania.

The southern colonies have so many inherent causes of weakness that they can never possess any real strength. The climate operates very powerfully upon them, and renders them indolent, inactive, and unenterprising; this is visible in every line of their character. I myself have been a spectator, and it is not an uncommon sight of a man in the vigour of life, lying upon a couch, and a female slave standing over him, wafting off the flies, and fanning him, while he took his repose.

The southern colonies (Maryland, which is the smallest and most inconsiderable, alone excepted) will never be thickly seated [populated]; for as they are not confined within determinate limits, but extend to the westward indefinitely; men sooner than apply themselves to laborious occupations, occupations militating with their dispositions, and generally considered too as the inheritance and badge of slavery, will gradually retire westward, and settle upon fresh lands, which are said also to be more fertile; where by the servitude of a negro or two, they may enjoy all the satisfaction of an easy and indolent independency; hence the lands upon the coast will of course remain thin of inhabitants.

The mode of cultivation by slavery is another insurmountable cause of weakness. The number of negroes in the southern

colonies is upon the whole nearly equal, if not superior, to that of the white men: and they propagate and increase even faster. Their condition is truly pitiable; their labour excessively hard, their diet poor and scanty, their treatment cruel and oppressive; they cannot therefore but be a subject of terror to those who so inhumanly tyrannize over them.

The Indians near the frontiers are a still further formidable cause of subjection. The southern Indians are numerous, and are governed by a sounder policy than formerly: experience has taught them wisdom. They never make war with the colonists without carrying terror and devastation along with them. They sometimes break up intire counties together. Such is the state of the southern colonies.

The northern colonies are of stronger stamina, but they have other difficulties and disadvantages to struggle with, not less arduous, or more easy to be surmounted than what have been already mentioned. Their limits being defined, they will undoubtedly become exceedingly populous: . . . but the northern colonies have still more positive and real disadvantages to contend with. They are composed of people of different nations, different manners, different religions, and different languages. They have a mutual jealousy of each other, fomented by considerations of interest, power, and ascendency. Religious zeal too, like a smothered fire, is secretly burning in the hearts of the different sectaries that inhabit them, and were it not restrained by laws and superior authority, would soon burst out into a flame of universal persecution. Even the peaceable Quakers struggle hard for preëminence, and evince in a very striking manner that the passions of mankind are much stronger than any principles of religion.

The colonies therefore separately considered, are internally weak: but it may be supposed that by an union or coalition they would become strong and formidable: but an union seems almost impossible: one founded in dominion or power is morally so: for, were not England to interfere, the colonies themselves so well understand the policy of preserving a balance that I think they would not be idle spectators, were any one of them to endeavor to subjugate its next neighbour. Indeed, it appears to me

a very doubtful point, even supposing all the colonies in America to be united under one head, whether it would be possible to keep in due order and government so wide and extended an empire; the difficulties of communication, of intercourse, of correspondence, and all other circumstances considered.

A voluntary association or coalition, at least a permanent one, is almost as difficult to be supposed; for fire and water are not more heterogeneous than the different colonies in North America. Nothing can exceed the jealousy and emulation which they possess in regard to each other. The inhabitants of Pennsylvania and New York have an inexhaustible source of animosity in their jealousy for the trade of the Jerseys. Massachusetts Bay and Rhode Island are not less interested in that of Connecticut. The West Indies are a common subject of emulation to them all. Even the limits and boundaries of each colony are a constant source of litigation. In short, such is the difference of character, of manners, of religion, of interest of the different colonies, that I think, if I am not wholly ignorant of the human mind, were they left to themselves, there would soon be a civil war from one end of the continent to the other; while the Indians and negroes would, with better reason, impatiently watch the opportunity of exterminating them all together.

After all, however, supposing what I firmly believe will never take place, a permanent union or alliance of all the colonies, yet it could not be effectual . . . for such is the extent of the coast settled by the American colonies, that it can never be defended but by a maritime power. America must first be mistress of the sea, before she can be independent or mistress of herself. Suppose the colonies ever so populous; suppose them capable of maintaining 100,000 men constantly in arms (a supposition in the highest degree extravagant), yet a half a dozen frigates would with ease ravage and lay waste the whole country from end to end, without a possibility of their being able to prevent it: the country is so intersected by rivers, rivers of such magnitude as to render it impossible to build bridges over them, that all communication is in a manner cut off. An army under such circumstances could never act to any purpose or effect: its operations would be totally frustrated.

Further, a great part of the opulence and power of America depends upon her fisheries, and her commerce with the West Indies: she cannot subsist without them; but these would be intirely at the mercy of that power, which might have the sovereignty of the seas. I conclude therefore that England, so long as she maintains her superiority in that respect, will also possess a superiority in America: but the moment she loses the empire of the one, she will be deprived of the sovereignty of the other: for were that empire to be held by France, Holland, or any other power, America will, in all probability be annexed to it.

24. Harvard College in the early days, 1642, 1680, 1741

[73]

An anonymous writer, one of the members of the first Massachusetts settlement, gives the following quaint account of Harvard College in 1642, only six years after its foundation. The description formed one half of a tract called "New England's First Fruits," published in London in 1643.

After God had carried us safe to *New-England*, and wee had builded our houses, provided necessaries for our liveli-hood, rear'd convenient places for God's worship, and settled the civill government: One of the next things we longed for, and looked after was to advance *Learning* and perpetuate it to Posterity; dreading to leave an illiterate Ministry to the Churches, when our present Ministers shall lie in the Dust. And as wee were thinking and consulting how to effect this great work; it pleased God to stir up the heart of one Mr. *Harvard* (a godly Gentleman and a lover of Learning, there living amongst us) to give the one halfe of his Estate (it being in all about 1700 l.) towards the erecting of a Colledge, and all his Library: after him another gave 300 l. Others after them cast in more, and the publique hand of the State added the rest: the Colledge was, by common consent, appointed to be at *Cambridge* (a place very pleasant and accommodate) and is called (according to the name of the first founder) *Harvard Colledge.*

The Edifice is very faire and comely within and without, having in it a spacious Hall; (where they daily meet at Common Lectures) Exercises [Commons, Lectures, and Exercises], and

a large Library with some Bookes to it, the gifts of divers of our friends, their Chambers and studies also, fitted for and possessed by the Students, and all other roomes of Office necessary and convenient, with all needfull Offices thereto belonging: And by the side of the Colledge a faire *Grammar Schoole*, for the training up of young Schollars, and fitting of them for *Academicall Learning*, that still as they are judged ripe, they may be received into the Colledge of this Schoole. . . .

Over the Colledge is master *Dunster* placed, as President [1640–1654], a learned, conscionable [conscientious] and industrious man, who hath so trained up his Pupills in the tongues and Arts, and so seasoned them with the principles of Divinity and Christianity, that we have to our great comforts (and in truth) beyond our hopes, beheld their progresse in Learning and godlinesse also. . . . The latter hath been manifested in sundry of them, by the savoury breathings of their spirits in their godly conversation. Insomuch that we are confident, if these early blossomes may be cherished and warmed with the influence of the friends of Learning, and lovers of this pious worke, they will by the help of God, come to happy maturity in a short time.

Over the Colledge are twelve Overseers chosen by the Generall Court, six of them are of the Magistrates, the other six of the Ministers. . . .

Rules and Precepts that are observed in the Colledge

1. When any Schollar is able to understand *Tully* [Cicero], or such like classicall Latine Auther *extempore*, and make and speak true Latine in Verse and Prose, *suo ut aiunt Marte* [without help from others]; and decline perfectly the Paradigmes of *Nounes* and *Verbes* in the *Greek* tongue: Let him then and not before be capable of admission into the Colledge.

2. Let every Student be plainly instructed, and earnestly pressed to consider well, the maine end of his life and studies is, *to know God and Jesus Christ which is eternal life*, Joh. 17. 3. and therefore to lay *Christ* in the bottome, as the only foundation of all sound knowledge and Learning.

5. That they studiously redeeme the time; observe the generall houres appointed for all the Students, and the speciall houres for their owne *Classis*: and then diligently attend the Lectures,

without any disturbance by word or gesture. And if in anything they doubt, they shall enquire, as of their fellowes, so, (in case of *Non satisfaction*) modestly of their Tutors.

6. None shall under any pretence whatsoever, frequent the company and society of such men as lead an unfit, and dissolute life. Nor shall any without his Tutors leave, or (in his absence) the call of Parents or Guardians, goe abroad to other Townes.

8. If any Schollar shall be found to transgresse any of the Lawes of God, or the Schoole, after twice Admonition, he shall be lyable, if not *adultus*, to correction, if *adultus*, his name shall be given up to the Overseers of the Colledge, that he may bee admonished at the publick monthly Act.

The College seems to have declined somewhat in its first half century from the lofty ideals of its founders, if we may accept as an authentic picture of college life the short description found in the journal of Jasper Danckaerts, a Dutch visitor to Cambridge, in the year 1680.

9th [of July 1680] Tuesday. We started out to go to Cambridge, lying to the north east of Boston, in order to see their college and printing office. We left about six o'clock in the morning, and were set across the river at Charlestown. . . . We reached Cambridge about eight o'clock. It is not a large village, and the houses stand very much apart. The college building is the most conspicuous among them.[1] We went to it, expecting to see something curious, as it is the only Colledge, or would-be academy of the Protestants in all America, but we found ourselves mistaken. In approaching the house we neither heard nor

[1] This was New College, finished in 1682 after much delay owing to the "Indian warre" (of King Philip). The original Harvard Hall, the "Edifice very faire and comely within and without," had begun to show signs of dilapidation very early. In 1647 President Dunster wrote to the Commissioners of New England: "from the first evil contrivall of the Colledge building there now ensues yearly decayes of the rooff, walls and foundations, which the study rents [tuition fees] will not carry forth to repair." The New College contained accommodations for forty students. It was burned to the ground in 1764.

saw anything mentionable; but going to the other side of the building, we heard noise enough in an upper room, to lead my comrade to suppose they were engaged in disputation. We entered and went up stairs, when a person met us and requested us to walk in, which we did. We found there, eight or ten young fellows, sitting around, smoking tobacco, with the smoke of which the room was so full, that you could hardly see: and the whole house smelt so strong of it, that when I was going up stairs, I said, this is certainly a tavern. We excused ourselves, that we could speak English only a little, but understood Dutch or French, which they did not. However, we spoke as well as we could. We inquired how many professors there were, and they replied not one, that there was no money to support one. We asked how many students there were. They said at first, thirty, then came down to twenty; I afterwards understood there are probably not ten. They could hardly speak a word of Latin, so that my comrade could not converse with them. They took us to the library where there was nothing particular. We looked over it a little. They presented us with a glass of wine. This is all we ascertained there. The minister of the place goes there morning and evening to make prayer, and has charge over them. The students have tutors or masters.

Josiah Quincy in his "History of Harvard University" transcribes from the records of the Corporation the following account of the reception of the newly elected Governor Shirley of the Colony of Massachusetts Bay. "The intimate union which subsisted between Harvard College and the civil and ecclesiastical powers of the Province," says Quincy, "unavoidably connected the interests of the seminary with political events."

The Governor came up to Cambridge with an escort of forty men, including officers, accompanied by the Council, a great many other gentlemen, and a considerable number who came over the ferry, by way of Charlestown. He was met a mile off, by the gentlemen of Cambridge, the Tutors, the Professors,

Masters, and two of the Bachelors.[1] Both the Meetinghouse bell and the College bell were rung. He was received at the door of the College, exactly at eleven o'clock, by the President and Corporation, and escorted to the Library, where, having waited twenty minutes, the bell was tolled, and all moved down to the Hall: the Corporation first, the Governor and Lieutenant-Governor next, and then the other gentlemen. When all were seated, the President ordered the orator (Mr. Winslow, a junior Bachelor) to begin: and, when he had finished, the Governor rose (all rising with him) and made a very fine Latin speech, promising the College all his care for the promoting of learning and religion. All proceeded afterwards to the Library again, where the President asked the Governor if he would like to see a philosophical experiment in the Professor's chamber; on which all moved there directly, and saw three or four experiments, which took up almost all the time till dinner; the Governor going to Mr. Flynt's chamber again until it was ready. The tables were laid two at each end of the hall, and one across by the chimneys. The Governor, Council, and Corporation sat at the cross table; the Governor facing the door, the rest in their order. . . . The whole number present amounted to one hundred and twenty! The Governor sat about an hour, and then, after the 101st Psalm was sung, he, with the rest of the gentlemen, went off, about five o'clock with his guard.

[1] Lest this should give the impression of a large college faculty it might be well to quote the remark of the celebrated evangelist George Whitefield, who visited Harvard in 1740: "The chief College in New England has one President, four Tutors, and about a hundred students. It is scarce as big as one of our least Colleges in Oxford and . . . not far superior to our Universities in piety and true godliness. Tutors neglect to pray with and examine the hearts of their pupils. Discipline is at too low an ebb. Bad books are become fashionable amongst them." —Whitefield, Seventh Journal, p. 28.

CHAPTER III

THE STRUGGLE WITH FRANCE FOR NORTH AMERICA

The Rise of New France

In the stirring annals of French exploration in the new world, René Robert Cavelier de la Salle's journey of a thousand miles from Lake Michigan to the Gulf of Mexico, opening the main current of the great river system that drains our midland states, holds the first place. Among La Salle's companions was the Recollect (Franciscan) Friar, Father Zenobius Membré, who reported the success of La Salle's expedition in a letter directed to his cousin and superior, Father Chrétien Le Clercq of Gaspé, and dated "From the Mississippi, June 3, 1682." Nine years later Le Clercq published at Paris an ambitious work entitled "The First Establishment of the Faith in New France," in which he included Father Zenobius' report of La Salle's voyage.

25. La Salle's voyage down the Mississippi, January to April, 1682

[87]

Monsieur de la Salle, having arrived safely at the Miamis on the 3d of November [1681], bent himself, with his ordinary activity and great breadth of mind, to prepare all things necessary for his departure. He selected twenty-three Frenchmen and eighteen Indians inured to war, some Mahingans [Mohicans] or Loups, some Abenaquis. They desired to take along ten of their women to cook for them, as their custom is, while they were fishing or hunting. These women took with them three children, so that the whole party consisted of but fifty-four persons, including the Sieur de Tonty and the Sieur Dautray, son of the late Sieur Bourdon, procurator-general of Quebec. On the 21st of December I embarked with the Sieur de Tonty

and part of our people on Lake Dauphin [Michigan] to go toward the divine river called by the Indians Checagon, in order to make the necessary arrangements for our voyage. The Sieur de la Salle joined us there with the rest of his troop, on the 4th of January, 1682, and found that the Sieur de Tonty had made sleds to put all the party on and carry them over the Checagon, which was frozen; for though the winter in these parts lasts only two months, it is notwithstanding very severe.

There is a portage to be made to enter the river of the Illinois, which we found also frozen: we made it on the 27th of the same month, dragging our canoes, our baggage and provisions about eighty leagues' distance on the river Seignelay [Illinois], which runs down into the river Colbert[1]; we traversed the great village of the Illinois without finding anyone there, the Indians having gone to winter thirty leagues lower down on Lake Pimiteoui [Peoria], where Fort Crèvecœur stands. We found it in good condition.[2] The Sieur de la Salle left his orders here, and as from this spot navigation is open at all seasons and free from ice, we embarked in our canoes, and on the 6th of February reached the mouth of the river Seignelay, situated at latitude 38°. The ice which was floating down on the river Colbert at this place kept us there till the thirteenth of the same month, when we set out and six leagues lower down we found the river of the Ozages [the Emissitoura or Missouri] coming from the west. It is full as large as the river Colbert, into which it empties, and which is so disturbed by it that from the mouth of this river the water is hardly drinkable. The Indians assured us that this river is formed by many others, and that they ascend it for ten or twelve days to a mountain where they have their source; and that beyond this mountain is the sea, where great ships are seen. . . .

[1] The Mississippi was named the Colbert by La Salle, says Tonty, on the occasion of his passage from the Illinois (Seignelay) into the main stream.

[2] It was built by La Salle in 1680, and left as an outpost when he was obliged to return to Fort Frontenac on account of the failure of supplies, "all Canada," as his companion Father Membré says, "seeming in league against his undertaking."

At last . . . we arrived, on the 6th of April, at a point where the river divides into three channels. The Sieur de la Salle divided his party the next day into three bands to go and explore them. He took the western, the Sieur Dautray the southern, the Sieur Tonty, whom I accompanied, the middle one. These three channels are beautiful and deep. The water is brackish; after two leagues it became perfectly salt, and advancing on, we discovered the open sea, so that on the 9th of April, with all possible solemnity, we performed the ceremony of planting the cross and raising the arms of France. After we had chanted the hymn of the church, *Vexilla Regis*,[1] and the *Te Deum*,[2] the Sieur de la Salle, in the name of his majesty, took possession of that river, of all rivers that enter it, and of all countries watered by them. An authentic act was drawn up, signed by all of us there, and, to the sound of a volley from all our muskets, a leaden plate, on which were engraved the arms of France and the names of those who had just made the discovery, was deposited in the earth. The Sieur de la Salle, who always carried an astrolabe, took the latitude of this mouth. . . . This river is estimated at 800 leagues long: we travelled at least 350 from the mouth of the river Seignelay.

26. Dongan and Denonville, 1685–1687

To the energetic Irishman, Thomas Dongan, Governor of the Province of New York under the later Stuarts, belongs the credit of first perceiving clearly and resisting firmly the dangerous French encroachments to the south of the great lakes.[3] Dongan protests first to Governor La Barre of [90]

[1] The famous Latin hymn *Vexilla regis prodeunt* ("The banners of the King advance"), composed by Venantius Fortunatus in the sixth century.

[2] The ancient hymn *Te Deum laudamus* ("We praise thee, O God!"), composed by an unknown writer in the fourth century.

[3] "Dongan entered the lists against the French. If his policy should prevail, New France would dwindle to a feeble province on the St. Lawrence: if the French policy should prevail, the English colonies would remain a narrow strip along the sea. Dongan's cause was that of all the colonies; but they all stood aloof and left him to wage the strife alone. Canada was matched against New York, or rather against the Governor of New York." — Parkman, Count Frontenac and New France under Louis XIV, Vol. I, p. 124.

Canada, then to his successor, Denonville (1685), against the extension of their authority and arms among the Iroquois, who were "his Majesty of Great Britain's subjects." The correspondence between Dongan and Denonville is an amusing compound of deferential scolding and tart amenities.[1]

GOVERNOR DONGAN TO M. DE DENONVILLE, OCTOBER 13, 1685

SIR:

I have had the honor of receiving your letter, and greatly rejoice at having so good a neighbor whose character is so wide spread that it has anticipated your arrival. I have written several letters to M. de la Barre; that which you have honored is one of the first. I presume the others have not been shown to you. He meddled in an affair that might have created some indifference between the two Crowns which gave me considerable pain, as I entertain a very high respect for the King of France, of whose bread I have eaten so much,[2] that I feel myself under the obligation to prevent whatsoever can give the least umbrage to our masters. M. de la Barre is a very worthy gentleman, but he has not written to me in a civil and befitting style. . . .

The King your master has no doubt been deeply afflicted at the death of the late King Charles[3] of glorious memory, and I trust his present Majesty [James II] will keep up as good understanding and amity as the late King with the Crown of France. It will not be my fault if we do not cultivate a cordial friendship, being, with respect and truth,

Your most affectionate servant,

Dongan

[1] Dongan in his report to the Lords of Trade in 1687 writes: "The new Governor Monsr de Nonville has written mee that hee desires to have a very good correspondence with this Governmt & I hope he will bee as good as his word." — O'Callaghan, Documentary History of New York, Vol. I, p. 158.

[2] Dongan had commanded an Irish regiment in the army of Louis XIV.

[3] Charles the Second, who died February 6, 1685.

M. DE DENONVILLE TO GOVERNOR DONGAN, JUNE 5, 1686

SIR:

I have rec[d] the letter you did me the honor to write me on the 13th Octb[r] last. The very particular regard I have for your merit causes me to receive with much pleasure all the kind expressions with which your letter is filled. Be assured, Sir, that I can appreciate all the obligations I am under to endeavor to deserve your friendship. . . .

In regard to the business wherein Mons[r] de la Barre interfered with what might have created a coolness between the two Crowns, as you write me, I presume you refer to his quarrel with the Senecas. As to that, I shall state, Sir, to you that I believe you understand the character of that nation sufficiently well to perceive that it is not easy to live in friendship with people who have neither religion nor honour nor subordination. M. de la Barre had many causes of complaint against their proceedings. . . . The King, my master, entertains affection and friendship for that country through the zeal alone he feels for the Establishment of Religion there and the support and protection of the Missionaries whose zeal to preach the gospel leads them to expose themselves to the brutalities and persecutions of the most ferocious of tribes.

You are better acquainted than I am with what they have suffered, the torments they have endured and the fatigues they experience every day for Jesus Christ his name. I know your heart is penetrated with the glory of that name which makes Hell tremble and at the mention of which all the powers of Heaven fall prostrate. Shall we, Sir, be so unfortunate as to refuse them our Master's protection to sustain them and to contribute a little on our part to win poor souls to Jesus Christ, by aiding them to overcome the enemy of God who rules them. . . .

Hitherto the avarice of our Traders warred against the Gospel by supplying these people with arms to wage war against us, and with the liquor that makes them mad. You are a man of rank and abounding in merit; you love the religion — Well, Sir, are there no means by which we can come to an understanding,

you and I, to maintain our missionaries by keeping those ferocious tribes in respect & fear. . . . What have not the Iroquois done to the poor people of Merilande [Maryland] and Virginia? Truly, I do not understand how the heart of a Christian can be hardened to such a degree as to behold with a dry eye that it is they themselves who destroy their bretheren and compatriots. . . .

I should have greatly desired to be conversant with English, to be able to write you in your tongue, and thus prove to you the consideration I entertain for you. But as I know that you are acquainted with French, I have presumed you would consent that I should not borrow another language, in order to avoid the risk of writing you in villainous latin.

I am, Sir,
Your most humble & most obedient servant
M. de Denonville

GOVERNOR DONGAN TO M. DE DENONVILLE, MAY 22, 1686

I have sent for the five nations of the Indyans that belong to this Government to meet me at this place [Albany], to give them in charge, that they should not goe to your side of the great lakes, nor disturb your Indyans and traders, but since my comeing here I am informed that our Indyans are aprehensive of warr, by your putting stores into Cataract[1] and ordering some forces to meet there; I know you are a man of judgment, and that you will not attack the King of England's subjects. . . . I am likewise informed that you intended to build a fort at a place called Ohniagero [Niagara] on this side of the lake within my master's territoryes without question, (I cannot beleev it) that a person that has your reputation in the world, would follow the steps of Monsr Labarr [de la Barre], and be ill advized by some interested persons in your Governt to make disturbance between

[1] In his report to the Lords of Trade in 1687 Dongan says: "Ever since my coming hither it has been no small trouble to keep the Sinicaes [Senecas] from making warr upon the French, Monsieur de la Barre was very hot upon it & brought a great many men to a place called Cadaraque [Cataract, Fort Frontenac, or the present Kingston] lying on the lake, with the intent to fall on the Indians. . . . Monsr

our Masters subjects in those parts of the world for a little pelttree [peltry]; when all those differences may be ended by an amicable correspondence between us; if there be anything amiss, I doe assure you it shall not be my fault, tho' we have suffered much, and doe dayly by your people's tradeing within the King of England's territoryes. . . .

Setting apart the station I am in, I am as much Mons^r^ Des Novilles [Denonville's] humble servant as any friend he has, and will omit no opportunity of manifesting the same. . . .

M. DE DENONVILLE TO GOVERNOR DONGAN, JUNE 20, 1686

Sir,

I received the letter which you did me the honor to write me on the 22d May last. You will sufficiently learn in the end how devoid of all foundation are the advices which you have had of my pretended designs, and that all that has been told you by the deserters from the Colony [New France] ought to be received by you with much suspicion. You, Sir, are too well acquainted with the service and the manner that things must be conducted, to take any umbrage at the supplies which I send to Cataracouy [Cataract] for the subsistence of the soldiers I have there. You know the Savages sufficiently to be well assured that it would be very imprudent on my part to leave that place without having enough of supplies and munitions there for one year's time. . .

In respect to the pretensions which you say you have to the lands of this country, certainly you are not well informed of all the entries into possession (*prises de possessions*) which have been made in the name of the King my Master, and of the establishments of long standing which we have on the land and on the lakes; and as I have no doubt but our Masters will easily agree among themselves, seeing the union and good understanding that obtain between them,[1] I willingly consent

de Nonville [Denonville] put a great deal of provisions into & keeps four or five hundred men in Cadaraque." — O'Callaghan, Documentary History of New York, Vol. I, p. 158.

[1] For the relations of the later Stuarts with Louis XIV of France and the change in those relations brought about by the accession of William of Orange, see Muzzey, An American History, pp. 91–92.

with you that their Majesties regulate the limit among themselves, wishing nothing more than to live with you in good understanding; but to that end, Sir, it would be very apropos that a gentleman, so worthy as you, should not grant protection to all the rogues, vagabonds and thieves who desert and seek refuge with you, and who to acquire some merit with you, believe they cannot do better than to tell you many impertinencies of us, which will have no end so long as you will listen to them.

Your very humble and very obedient Servant

The M. de Denonville

GOVERNOR DONGAN TO M. DE DENONVILLE,
JULY 26, 1686

Sir,

I had the honor to receave two letters from you one dated the 6th the other the 20th of June last. . . . Beleive it it is much joy to have soe good a neighbour of soe excellent qualifications and temper and of a humour altogether differing from M. de la Barre your predecessor who was so furious and hasty very much addicted to great words as if I had bin to have bin frighted by them. . . .

I have heard that before ever the King your Master pretended to Cannida, the Indians so far as the South sea were under the English Dominion and always traded with Albany, Maryland and Virginia, but that according to your desire with very good reason is wholly referred to our Masters, and I heartely pray that neither you nor myselfe give occasion of any of the least misunderstanding between them. . . . The stricktest care shall be taken concerning runawayes from you — but if there be any soldiers who have deserted, I desire you to give me the assurance that they shall not loose their lives.

Sir,

Your most humble and affectionate servant

Tho. Dongan

M. DE DENONVILLE TO GOVERNOR DONGAN, OCTOBER 1, 1686

. . . I do not believe, Sir, that the King your Master approves all the pains you have taken to induce by presents and arms, the entire Iroquois nation to wage war this year against us — nor the exhortations you have made them to pillage the French who trade to places which we acquired heretofore, previous to New York being what it is. You proposed, Sir, to submit everything to the decision of our Masters. Nevertheless your emissary to the Onnontague's [Onondagas] told all the Nations, in your name, to pillage and make war on us. . . . I ask you, Sir, what do you wish me to think of all this, and if these things accord with the letter you did me the honour to write on the 27th of July, which is filled with civilities and just sentiments. . . . I am heartily convinced of the zeal of the King your Master for the progress of the Religion . . . but it were desirable, Sir, that his piety should have the like effect under your orders, that you would enter with greater accord than you do into the means of checking the insolence of the enemies of the Faith . . . think you, Sir, that Religion will make any progress whilst your merchants will supply, as they do, *Eau de Vie* in abundance which, as you ought to know, converts the Savages into Demons and their Cabins into counterparts and theatres of Hell.

I hope, Sir, you will reflect on all this, and that you will be so good as to contribute to that union which I desire and which you wish for. . . .

Your very humble and obedient Servant
The M. de Denonville

GOVERNOR DONGAN TO M. DE DENONVILLE, DECEMBER 1, 1686

. . . Bee assured, Sir, that I have not solicited nor bribed the Indians to arme and make warr against you. . . . I have only permitted severall of Albany to trade amongst the remotest Indians with strict orders not to meddle with any of your people, and I hope they will find the same civillity from you. . . . I have

written to the King my Master who hath as much zeal as any prince liveing to propagate the Christian faith and assure[d] him how necessary it is to send hither some Fathers to preach the Gospel to the natives allyed to us, and care would be then taken to dissuade them from their drunken debauches, though certainly our Rum doth as little hurt as your Brandy and in the opinion of Christians is much more wholesome; however, to keep the Indians temperate and sober is a very good and Christian performance, but to prohibit them all strong liquors seems a little hard and very turkish. . . .

Sir, assuredly with all due respect

Your most humble and affectionate servant

T. Dongan

DONGAN TO DENONVILLE

June 20, 1687

S^r^, I send you some Oranges hearing they are a rarity in your partes and would send more but the bearer wants conveniency of Carriage.

DENONVILLE TO DONGAN

August 27, 1687

I thank you, Sir, for your oranges. It was a great pity that they should have been all rotten.

27. The Albany plan of union, 1754

[96]

Benjamin Franklin, whose long life almost spanned the eighteenth century (1706–1790), was the most versatile genius of our colonial period. A few months before his death he received from President Washington this message: "If to be venerated for benevolence, if to be admired for talents, if to be beloved for philanthropy can gratify the human mind, you must have the pleasing consolation that you have not lived in vain."[1] One of Franklin's most

[1] Writings of George Washington, ed. W. C. Ford, Vol. XI, p. 432.

cherished plans was the union of the colonies under the presidency of a benevolent governor-general from the mother land, for better mutual acquaintance and common defense against the French and Indians. In his "Autobiography," he gives the following account of the plan of union:

In 1754, war with France being again apprehended, a congress of commissioners from the different colonies was, by order of the Lords of Trade,[1] to be assembled at Albany, there to confer with the chiefs of the Six Nations concerning the means of defending both their country and ours. Governor Hamilton having received this order, acquainted the House with it, requesting they would furnish proper presents for the Indians, to be given on this occasion; and naming the speaker (Mr. Norris) and myself to join Mr. Thomas Penn and Mr. Secretary Peters as commissioners to act for Pennsylvania. The House approv'd the nomination, and provided the goods for the present . . . and we met the other commissioners at Albany about the middle of June.

In our way thither, I projected and drew a plan for the union of all the colonies under one government, so far as might be necessary for defence, and other important general purposes. As we passed through New York, I had there shown my project to Mr. James Alexander and Mr. Kennedy, two gentlemen of great knowledge in public affairs, and, being fortified by their approbation, I ventured to lay it before the Congress. It then appeared that several of the commissioners had formed plans of the same kind. A previous question was first taken, whether a union should be established, which passed in the affirmative unanimously. A committee was then appointed, one member from each colony, to consider the several plans and report. Mine happen'd to be preferr'd, and, with a few amendments, was accordingly reported.

[1] The Lords Commissioners for Trade and Plantations was a board created in 1696 by William III, a reorganization of the old Council for Foreign Plantations appointed by Charles II in 1660.

By this plan the general government was to be administered by a president-general, appointed and supported by the crown, and a grand council was to be chosen by the representatives of the people of the several colonies, met in their respective assemblies. The debates upon it in Congress went on daily, hand in hand with the Indian business. Many objections and difficulties were started, but at length they were all overcome, and the plan was unanimously agreed to, and copies ordered to be transmitted to the Board of Trade and to the assemblies of the several provinces. Its fate was singular: the assemblies did not adopt it, as they all thought there was too much *prerogative* in it, and in England it was judg'd to have too much of the *democratic*. . . .

I am still of the opinion that it would have been happy for both sides of the water if it had been adopted. The colonies, so united, would have been sufficiently strong to have defended themselves; there would then have been no need of troops from England: of course, the subsequent pretence for taxing America, and the bloody contest it occasioned, would have been avoided. But such mistakes are not new; history is full of the errors of states and princes.

> "Look round the habitable world, how few
> Know their own good, or, knowing it, pursue!"

Those who govern, having much business on their hands, do not generally like to take the trouble of considering and carrying into execution new projects. The best public measures are therefore seldom *adopted from previous wisdom, but forc'd by the occasion.*

The plan drafted by Franklin was as follows:

SHORT HINTS TOWARDS A SCHEME FOR UNITING THE NORTHERN COLONIES

A Governor-General

To be appointed by the king.
To be a military man.
To have a salary from the crown.

To have a negation [veto] on all acts of the Grand Council, and carry into execution whatever is agreed on by him and that Council.

Grand Council

One member to be chosen by the Assembly of each of the smaller colonies, and two or more by each of the larger, in proportion to the sums they pay yearly into the general treasury.

Members' Pay

——[1] shillings sterling per diem, during their sitting, and milage for travelling expenses.

Place and Time of Meeting

To meet ——[2] times every year, at the capital of each colony, in course, unless particular circumstances and emergencies require more frequent meetings, and alteration in the course of places. The governor-general to judge of those circumstances, &c. and call by his writs.

General Treasury

Its fund, an excise [internal revenue tax] on strong liquors, pretty equally drunk in the colonies, or duty on liquor imported, or —— shillings on each license of a public house, or excise on superfluities, as tea, &c. &c. All which would pay in some proportion to the present wealth of each colony, and increase as that wealth increases, and prevent disputes about the inequality of quotas. To be collected in each colony and lodged in their treasury, to be ready for the payment of orders issuing from the governor-general and grand council jointly.

Duty and Power of the Governor-General and Grand Council

To order all Indian treaties. Make all Indian purchases not within proprietary grants. Make and support new settlements, by building forts, raising and paying soldiers to garrison the forts, defend the frontiers, and annoy the enemy. Equip guard-vessels

[1] Later filled in "ten." [2] Later filled in "once."

to scour the coasts from privateers in time of war, and protect the trade, and everything that shall be found necessary for the defence and support of the colonies in general, and increasing and extending their settlements &c. For the expense they may draw on the fund in the treasury of any colony.

Manner of Forming this Union

The scheme, being first well considered, corrected, and improved by the commissioners at Albany, to be sent home, and an act of Parliament obtained for establishing it.

The draft was sent to Mr. James Alexander with the following letter:

New York, June 8, 1754

Mr. Alexander is requested to peruse these *Hints*, and make remarks in correcting or improving the scheme,[1] and send the paper with such remarks to D^r^ Colden, for his sentiments, who is desired to forward the whole to Albany to their very humble servant,

B. Franklin

The Fall of New France

28. Washington's embassy to the French forts, 1753 [97]

As the eighteenth century progressed the rivalry between French and English in America increased. The abandonment of Nova Scotia, Newfoundland, and the Hudson Bay region to the English, and the recognition of the English protectorate over the Iroquois, by the Treaty of Utrecht (1713), marked the beginning of the disintegration of the French power in the new world. The colonies, following the example of New York, gradually woke to the danger of the French establishments behind the Alleghenies;

[1] Several changes were made in the plan before its adoption at Albany. The student may find these changes by comparing the present text with the finished plan as published in Macdonald, Select Charters of American History, 1606–1775, pp. 253–257, or in the *Old South Leaflets*, No. 9.

notably Virginia,[1] whose loosely worded charter of 1609 gave her claims to all the Ohio valley. When the French built forts to connect the Great Lakes with the Ohio river system, Governor Dinwiddie of Virginia, following general instructions to colonial governors from their chief Lord Holdernesse to employ force if necessary to "prevent any such unlawful undertakings," sent George Washington, whom he called "a person of distinction,"[2] to warn the French to desist. When Washington's Journal of the expedition was published in 1754 copies were sent to all the colonial governors.

Wednesday, October 31, 1753

I was commissioned and appointed by the Honorable *Robert Dinwiddie*, Esq: Governor, &c. of *Virginia*, to visit or deliver a letter to the Commandant of the *French* forces on the *Ohio*, and set out on the intended Journey the same day. The next day, I arrived at *Fredericksburg*, and engaged Mr. *Jacob Vanbraam* to be my French interpreter; and proceeded with him to

[1] Colonel William Byrd of Virginia wrote the following "humble representation" of the situation in 1735: "On the back of the British Colonies on the Continent of America, about 250 miles from the Ocean, runs a chain of High Mountains stretching away from the North East to the South. . . . As the French have settlements on the Western Rivers, it will be greatly for their advantage to be beforehand with the English in gaining possession of the Mountains, and for so doing (besides their encroaching Temper) they will have the following Temptations. First that they may make themselves masters of all the Mines, with which there is reason to believe these Mountains abound. . . . In the next place, that they may engross all the Trade with western Indians for Skins and Furrs . . . and lastly that they may build Forts to command the Passes thro the said Mountains, whereby they will be not only in condition to secure their own Traffick and Settlements Westward, but also to invade the British Colonies from Thence. . . . These inducements to the French make it prudent for a British Ministry to be watchfull and prevent their Seizing this important Barrier." — J. S. Bassett (ed.), The Writings of Colonel William Byrd, p. 390.

[2] Washington had been appointed Major of Virginia militia, at a salary of £100 a year.

Alexandria, where we provided necessaries. From thence we went to *Winchester*, and got Baggage, Horses, &c.; and from thence we pursued the new Road to *Wills-Creek* [Cumberland, Md.], where we arrived the 14th of *November*. . . .

The excessive Rains and vast Quantities of Snow which had fallen [early in November!] prevented our reaching Mr. *Frazier's*, an Indian Trader at the Mouth of *Turtle Creek* on *Monongehela* (River) till *Thursday*, the 22d. . . . Shingiss, King of the Delawares . . . attended us to the *Loggs*-town, where we arrived between Sun-setting and Dark, the 25th Day after I left Williamsburg. . . .

As soon as I came to the Town, I went to *Monakatoocha* [an Oneida chief] (as the Half-King was out at his Hunting-Cabbin on little *Beaver* Creek, about 15 miles off), and informed him . . . that I was sent a messenger to the *French* general; and was ordered to call upon the Sachems of the *Six Nations*, to acquaint them with it. I gave him a String of Wampum and a Twist of Tobacco, and desired him to send for the Half-King; which he promised to do by a Runner in the Morning, and for other Sachems. I invited him and the other great Men present to my Tent, where they stay'd about an Hour and return'd. . . .

25th. . . . About 3 o'clock this Evening the Half-King came to Town. I went up and invited him privately to my Tent; and desired him to relate some of the Particulars of his Journey to the *French* Commandant and Reception there: Also to give me an account of the Ways and Distance. He told me that the nearest and levellest Way was now impassable, by Reason of many large mirey Savannas; that we must be obliged to go by *Venango*, and should not get to the near Fort under 5 or 6 Nights Sleep, good Travelling. . . .

26th. We met in Council at the *Long-House*, about 9 o'clock, where I spoke to them [the Sachems] as follows:

"Brothers, I have called you together in Council by order of your Brother, the Governor of *Virginia*, to acquaint you that I am sent with all possible Dispatch, to visit, and deliver a Letter to the *French* Commandant, of very great Importance to your Brothers, the *English*; and I dare say to you their friends and allies.

"I was desired, Brothers, by your Brother the Governor, to call upon you, the Sachems of the Nations, to inform you of it, and to ask your Advice and Assistance, to proceed the nearest and best Road to the *French*. You see, Brothers, I have gotten thus far on my Journey.

"His Honour likewise desired me to apply to you for some of your young Men, to conduct and provide Provisions for us on our Way; and be a Safe-guard against those *French Indians* who have taken up the hatchet against us. I have spoken this particularly to you, Brothers, because his Honour our Governor treats you as good friends and Allies; and holds you in great Esteem. To confirm what I have said, I give you this String of Wampum."

After they had considered for some time on the above Discourse, the Half-King got up and spoke. . . .

"I rely upon you as a Brother ought to do, as you say we are Brothers and one People: we shall put Heart in Hand and speak to our Fathers the *French* concerning the Speech they made to me[1]; and you may depend that we will endeavor to be your Guard. . . ."

30th. . . . We set out about 9 o'clock with the Half-King *Jeskakake*, *White Thunder*, and the Hunter; and travelled on the road to *Venango*, where we arrived the 4th of *December*, without any Thing remarkable happening but a continued Series of bad Weather. This is an old *Indian* Town, situated at the Mouth of *French* Creek on *Ohio*; and lies near N. about 60 miles from the *Loggs*-Town, but more than 70 the Way we were obliged to go. We found the *French* Colours hoisted at a House from which they had driven Mr. *John Frazier*, an *English* Subject. I immediately repaired to it to know where the Commander resided. There were three Officers, one of

[1] The Half-King had just returned from a visit to the French at Venango to try to dissuade them from "building houses on the Indians' land and taking it by force." The French general had defiantly replied that he was as little afraid of the Indians as of "Flies or Musquitos," and that his forces were "as the Sand upon the Sea Shore. . . . I tell you that down that River [Ohio] I will go, and will build upon it according to my command." — Washington, Journal, p. 18.

whom, Capt. *Joncaire*, informed me that he had the Command of the *Ohio*: But that there was a General Officer at the near Fort, where he advised me to apply for an Answer. He invited us to sup with them: and treated us with the greatest Complaisance.

The Wine, as they dosed themselves pretty plentifully with it, soon banished the Restraint which at first appeared in their Conversation; and gave a Licence to their Tongues to reveal their Sentiments more freely. They told me, that it was their absolute Design to take Possession of the Ohio, and by G—— they would do it: For altho' they were sensible the *English* could raise two Men for their one; yet they knew their Motions were too slow and dilatory to prevent any Undertaking of theirs. They pretended to have an undoubted Right to the River, from a Discovery made by one *La Salle* 60 years ago. . . .

7th (Dec.). . . . At 11 o'Clock we set out for the Fort, and were prevented from arriving there till the 11th by excessive Rains, Snows, and bad Travelling through many Mires and Swamps. . . .

12th. I was prepared early to wait on the Commander, and was received and conducted to him by the Second Officer in Command. I acquainted him with my Business and offered my Commission and Letter. . . . This Commander is a Knight of the Military Order of St. *Lewis* and named *Legardeur de St. Pierre*. He is an elderly Gentleman and has much the Air of a Soldier. . . . The Chief Officers retired to hold a Council of War; which gave me an Opportunity of taking the Dimensions of the Fort, and making what Observations I could. . . .

14th. This Evening I received an Answer to his Honour the Governour's [Dinwiddie's] Letter from the Commandant. . . .

15th. The Commandant ordered a plentiful Store of Liquor, Provision &c. to be put on Board our Canoe; he appeared to be extremely complaisant, tho' he was exerting every Artifice which he could invent to set our own *Indians* at variance with us, to prevent their going until after our Departure. . . .

16th. . . . We had a tedious and very fatiguing Passage down the Creek. Several Times we had like to have been

staved against Rocks; and many Times were obliged all Hands to get out and remain in the Water Half an Hour or more, getting over the Shoals.

23d. . . . The Horses grew less able to travel every Day; the Cold increased very fast; and the Roads were becoming much worse by a deep Snow continually freezing. Therefore as I was uneasy to get back, to make Report of my Proceedings to his Honour the Governor, I determined to prosecute my Journey the nearest Way through the Woods, on Foot. . . . I took my necessary Papers; pulled off my Cloaths; and tied myself up in a Match Coat. Then with Gun in Hand and Pack at my Back, in which were my Papers and Provisions, I set out with Mr. *Gist*, fitted in the same manner. . . .

The Day following . . . we fell in with a Party of *French* Indians, who had lain in wait for us. One of them fired at Mr. Gist or me, not 15 steps off, but fortunately missed. . . . The next day we got to the River. . . . We expected to have found the River frozen, but it was not, only about 50 yards from each Shore. . . . There was no way for getting over but on a Raft. Which we set about with but one poor Hatchet and finished just after Sun-setting. . . . Before we were half way over we were jammed in the Ice in such a Manner that we expected every moment our Raft to sink and ourselves to perish. I put out my setting pole to try to stop the Raft that the Ice might pass by; when the Rapidity of the Stream threw it with so much Violence against the Pole that it jerked me out into Ten Feet Water: but I fortunately saved myself by catching hold of one of the Raft Logs. . . . The Cold was so extremely severe that Mr. *Gist* had all his Fingers and some of his Toes frozen. . . .

. . . Arrived at Mr. *Gist's* at Monongahela the 2^{d} (Jan.), where I bought a Horse, Saddle, etc. The 6th we met 17 Horses loaded with Materials and Stores, for a Fort at the Forks of the Ohio, and the Day after some Families going out to settle. This Day we arrived at Will's Creek, after as fatiguing a Journey as it is possible to conceive, rendered so by excessive bad Weather. . . .

Arrived in Williamsburgh the 16th; when I waited upon his Honour the Governor with the Letter I had brought from the French Commandant[1]; and to give an Account of the Success of my Proceedings.

29. The fall of Quebec, September 13, 1759 [101]

James Wolfe's victory on the Plains of Abraham was the decisive blow in the struggle between England and France for mastery in North America. The following account of the battle is taken from the "Historical Journal" of Captain John Knox of Wolfe's army. The Journal was published in London in 1769, but, according to the author's statement in the preface, "was written mostly at the time, and finished almost as soon as the events it contains."

Thursday, September 13, 1759

Before day-break this morning we made a descent upon the north shore, about a quarter of a mile to the eastward of Sillery; and the light troops were fortunately, by the rapidity of the current, carried down lower, between us and Cape Diamond; we had in this debarkation thirty flat-bottomed boats, containing about sixteen hundred men.... The chain of centries [sentries] which the enemy had posted along the summit of the heights galled us a little and picked off several men and some Officers before our light infantry got up to dislodge them. This grand enterprise was conducted and executed with great good order and discretion; as fast as we landed the boats put off for reinforcements, and the troops formed with much regularity: the General [Wolfe] with Brigadiers Moncton and Murray were a-shore with the first division. We lost no time here but clambered up one of the steepest precipices that can be conceived,

[1] This letter, called in the Pennsylvania Archives (ii, 238) "a haughty answer," determined Dinwiddie to raise forces to send to the Ohio. Washington was given charge of one of the companies, with instructions to hasten to finish "the Fort which I expect is there already begun by the Ohio Company" (see Journal above, *ad fin.*). It was the clash of this little force of Washington's with Jumonville's men at Great Meadow that opened the Seven Years' War (see Muzzey, An American History, p. 97).

being almost a perpendicular and of an incredible height. As soon as we gained the summit all was quiet, and not a shot was heard. . . . It was by this time clear day-light. Here we formed again, the river and the south country in our rear, our right extending to the town, our left to Sillery, and halted a few minutes. . . . We then faced to the right and marched towards the town by files till we came to the plains of Abraham; an even piece of ground which Mr. Wolfe had made choice of while we stood forming upon the hill. Weather showery. About six o'clock the enemy first made their appearance upon the heights, between us and the town; whereon we halted, and wheeled to the right, thereby forming the line of battle. . . .

About ten o'clock the enemy began to advance briskly in three columns, with loud shouts and recovered arms, two of them inclining to the left of our army, and the third towards our right, fireing obliquely at the two extremities of our line from the distance of one hundred and thirty ——, until they came within forty yards; which our troops withstood with the greatest intrepidity and firmness, still reserving their fire, and paying the strictest obedience to their Officers, this uncommon steadiness, together with the havoc which the grapeshot from our field pieces made among them, threw them into some disorder, and was most critically maintained by a well-timed, regular, and heavy discharge of our small arms, such as they could no longer oppose; hereupon they gave way, and fled with precipitation, so that by the time the cloud of smoke was vanished, our men were again loaded, and . . . pursued them almost to the gates of the town, and the bridge over the little river, redoubling our fire with great eagerness, making many Officers and men prisoners. (The weather cleared up with a comfortably warm sun-shine.) . . .

Our joy at this success is inexpressibly damped by the loss we thus sustained of one of the greatest heroes which this or any other age can boast of, — General James Wolfe, who received his mortal wound, as he was exerting himself at the head of the grenadiers of Louisbourg; and Brigadier Monckton was unfortunately wounded . . . at much the same time. . . .

The Officers who are prisoners say that Quebec will surrender in a few days; some deserters who came out to us this

evening agree in that opinion, and inform us that the Sieur de Montcalm is dying in great agony of a wound he received today in their retreat. Thus has our late renowned Commander, by his superior eminence in the art of war, and a most judicious *coup d'état*, made a conquest of this fertile, healthy, and hitherto formidable country, with a handful of troops only, in spite of the political schemes and most vigorous efforts, of the famous Montcalm . . . at the head of an army considerably more numerous. My pen is too feeble to draw the character of this *British Achilles*; but the same may with justice be said of him as was said of Henry IV of France. *He was possessed of courage, humanity, clemency, generosity, affability, and politeness.* . . .

> "When the matter match'd his mighty mind
> Up rose the Hero: on his piercing eye
> Sat observation, on each glance of thought
> Decision followed, as the thunderbolt
> Pursues the flash."

The following letter from General Monckton acquainting Pitt with the result of the battle, and the Articles of Capitulation of the fortress of Quebec are taken from "Natural and Civil History of the French Dominion in America," by Thos. Jeffreys, "Geographer to the Prince of Wales." It was printed at Charing Cross, London, 1760.

LETTER FROM THE HONOURABLE GENERAL MONCKTON TO THE RIGHT HONOURABLE MR. SECRETARY PITT, DATED AT CAMP AT POINT LEVI, SEPTEMBER 15, 1759

SIR

I have the pleasure to acquaint you, that, on the 13th instant, his majesty's troops gained a very signal victory over the *French*, a little above the town of *Quebec*. *Gen. Wolfe*, exerting himself on the right of our line, received a wound pretty early, of which he died soon after, and I had myself the great misfortune of receiving one in my right breast by a ball, that went through part of my lungs (and which has been cut out under the blade bone of my shoulder) just as the *French* were giving way, which

obliged me to quit the field. I have therefore, Sir, desired Gen. *Townshend*, who now commands the troops before the town (and of which I am in hopes he will be soon in possession) to acquaint you with the particulars of that day, and of the operations carrying on,

I have the honor to be, &c.

Rob. Monckton

ARTICLES OF CAPITULATION AGREED ON BETWEEN GENERAL TOWNSHEND AND M. DE RAMZEY, COMMANDER OF QUEBEC

Art. I. . . . The garrison of the town, composed of land forces, marines, and sailors, shall march out with their arms and baggage, drums beating, lighted matches, with two pieces of cannon, and twelve rounds, and shall be embarked as conveniently as possible, in order to be landed at the first port in France.

Art. II. That the inhabitants shall be maintained in possession of their houses, goods, effects, and privileges.

Art. III. That the said inhabitants shall not be molested on account of their having borne arms for the defence of the town, as they were forced to it, and as it is customary for the inhabitants of the colonies of both crowns to serve as militia. . . .

Art. VI. That the exercise of the Catholic Apostolic and Roman religion shall be preserved, and that safe-guards shall be granted to the houses of the clergy, and to the monasteries, particularly to the Bishop of Quebec . . . until the possession of Canada shall have been decided by a treaty between their most Christian and Britannic Majesties.

Art. VII. That the artillery and warlike stores shall be delivered up *bona fide*, and an inventory taken thereof. . . .

Art. X. That the commander of the city of Quebec shall be permitted to send advice to the Marquis de Vaudreuil, governor general, of the reduction of the town; as also that this general shall be allowed to write to the French ministry to inform them thereof. . . .

duplicates signed at the Camp before Quebec
Sepr. 18, 1759
C. Saunders, G. Townshend, De Ramesay

PART II. THE SEPARATION OF THE COLONIES FROM ENGLAND

PART II. THE SEPARATION OF THE COLONIES FROM ENGLAND

CHAPTER IV

BRITISH RULE IN AMERICA

The Authority of Parliament in the Colonies

30. The rights of the colonies

No other Englishman was better qualified to speak on American affairs than Thomas Pownall, royal governor of the Massachusetts Bay Colony from 1757 to 1760. Pownall was one of the small group of statesmen who realized the "nascent crisis" in the colonies and advocated consulting the sentiments of the colonists themselves in determining the relation of America to the home government. In 1764, Pownall dedicated to George Grenville, the author of the Stamp Act, a long treatise on "The Administration of the Colonies," prompted, as he says in the preface, by "a spirit of suspicion and alarm arising, a temper of ill-blood infusing itself into the minds of men." Twenty years later, when the independence of America was acknowledged by George III, Pownall wrote: "The publication of this treatise ruined me with those who had the real power of Government in their hands. I was not ignorant that it would have such effect. I sacrificed to what I thought truth and right, and I thank God that I have never yet once, to this hour, repented that I made that sacrifice. Perhaps they have more than once repented that they did not follow this advice."[1] [108]

[1] Thomas Pownall, Three Memorials, 1784, General Preface, p. ix.

This American question, in which liberty and the rights of property are so deeply engaged, must now come forward . . . I therefore address to your most serious consideration that state of this business which the following book contains . . . I speak my own sentiments. I address them to your serious consideration, as I do to every man of business in the nation, with an hope that from conviction of the justice, policy, and necessity of the measure, they may become the general sentiments of the government, and of the people of Great Britain. . . . I am no Partizan. I do not palliate the errors of Great Britain. I do not flatter the passions of America. . . . I have stated the fact, and the right, in hopes to point out what is the true and constitutional relation between Great Britain and the American Colonies, what is the precise ground on which this dangerous question ought to be settled: How far they are to be governed by the vigor of external principles, by the supreme superintending power of the mother country: How far by the vigor of the internal principle of their own peculiar body politic: And what ought to be the mode of administration by which they are to be governed in their legislative, executive, judicial, and commercial departments, in the conduct of their money and revenues, in their power of making peace or war —

It has been often suggested that care should be taken in the administration of the plantations; lest in some future time these colonies should become independent of the mother country. But perhaps it may be proper on this occasion, nay, it is justice to say it, that if by becoming independent, is meant a revolt, nothing is further from their nature, their interest, their thoughts. . . . Their spirit abhors the sense of such; their attachment to the protestant succession in the house of Hanover will ever stand unshaken; and nothing can eradicate from their hearts their natural, almost mechanical affection to Great Britain, which they conceive under no other sense, nor call by any other name, than that of *home*. Besides, the merchants are, and ever must be, in great measure allied with those of Great Britain; their very support consists in this alliance, and nothing but false policy *here* can break it. . . . Yet again, on the other hand,

while [the colonies] remain under the support and protection of the government of the mother country; while they profit of the beneficial part of its trade; while their attachment to the present royal family stands firm, and their alliance with the mother country is inviolate, it may be worth while to inquire, whether they may not become and act in some cases independent of the *government and laws* of the mother country. . . . And if any measure of such independency . . . should be insisted on — perhaps it may be thought, that no time should be lost to remedy or redress these deviations . . . or to remove all jealousies arising from the idea of them, if none such really exist.

But the true and effectual way to remove all jealousies and interfering between the several powers of the government of the mother country, and the several powers of the governments of the colonies, in the due and constitutional order of their subordination, is to inquire and examine what the colonies and provinces really are; what their constitution of government is; what the relation between them and the mother country; and in consequence of the truth and principles established on such examination — to maintain firmly both in claim and exercise, the rights and powers of the supreme government of the mother country, with all acknowledgment of the rights, liberties, privileges, immunities, and franchises of the Colonists, both personal and political, treating them really as what they are. Until this be done there can be no government properly so called; the various opinions, connections and interests of Britains [Britons], both in this island, and in America, will divide them into parties — the spirit of mutual animosity and opposition will take advantage of the total want of established and fixed principles on this subject, to work these parties into faction; and then the predominancy of one faction, or the other, acting under the mask of the forms of government, will alternately be called government. . . .

It is a duty of perfect obligation from government toward the colonies, to preserve the liberty of the subject, the liberty of the constitution: It is a duty also of prudence in government toward itself, as such conduct is the only permanent and sure

ground, whereon to maintain the dependance of those countries, without destroying their utility as colonies.

The constitutions of these communities, founded in wise policy, and in the laws of the British constitution, are established by their several charters, or by the King's commission to his governors. . . . It [the commission] becomes the known, established constitution of that province which hath been established on it, and whose laws, courts and whole frame of legislature and judicature, are founded on it. It is the charter of that province; It is the indefeasible and unalterable right of those people; . . . It cannot, in its essential parts, be altered or destroyed by any royal instructions or proclamation; or by letters from secretaries of state: It cannot be superseded, or in part annulled, by the issuing out of any other commissions not known to this constitution.

Somewhat more foreboding for the colonies was the language of another royal governor of Massachusetts, Thomas Hutchinson, who remained on the field of dispute longer than Pownall, and was himself the victim, in the destruction of his furniture and library, of the riots attending the attempts to enforce the Stamp Act. In letters written to England in 1768 and 1769, at the height of the agitation over the Townshend Acts, the Circular Letter of Massachusetts, and the landing of the king's troops at Boston, Hutchinson says:

August 10 [1768]. Yesterday at a meeting of the merchants it was agreed by all present to give no more orders for goods from England, nor receive any on commission until the late acts are repealed. And it is said that all except sixteen in the town have subscribed an engagement of that tenor.

October 4 [1768]. . . . Principles of government absurd enough spread thro' all the colonies; but I cannot think that in any colony, people of any consideration have ever been so mad as to think of a revolt. Many of the common people have been in a frenzy, and talked of dying in defence of their

liberties, and have spoke and printed what is highly criminal, and too many of rank above the vulgar, and some *in public posts* have countenanced and encouraged them untill they increased so much in their numbers and in their opinion of their importance as to submit to government no more than they thought proper.

January 20 [1769]. . . . This is most certainly a crisis. I really wish that there may not have been the least degree of severity beyond what is absolutely necessary to maintain . . . the *dependance* which a colony ought to have upon the parent state; but if no measures shall have been taken to secure this dependance, or nothing more than some declaratory acts or resolves, *it is all over with us*. The friends of government will be utterly disheartened, and the friends of anarchy will be afraid of nothing be it ever so extravagant. . . .

I never think of the measures necessary for the peace and good order of the colonies without pain. There must be an abridgment of what are called English liberties. I relieve myself by considering that in a remove from the state of nature to the most perfect state of government there must be a great restraint of natural liberty. I doubt whether it is possible to project a system of government in which a colony 3000 miles distant from the parent state shall enjoy all the liberty of the parent state. I am certain I have never yet seen the projection. I wish the good of the colony when I wish to see some further restraint of liberty rather than the connexion with the parent state should be broken; for I am sure such a breach must prove the ruin of the colony.

We may add to these opinions of the royal governors a brief extract from an address of a popularly elected governor, Stephen Hopkins of Rhode Island, entitled "The Rights of Colonies Examined" (1764). Hopkins, who later was an influential member of the Continental Congress and a signer of the Declaration of Independence, was an ardent advocate of American equality with Great Britain. After showing how "colonies in general, both

ancient and modern, have always enjoyed as much freedom as the mother state from which they went out," Hopkins continues:

From what hath been shown, it will appear beyond a doubt, that the British subjects in America, have equal rights with those in Britain; that they do not hold those rights as a privilege granted them, nor enjoy them as a grace and favor bestowed; but possess them as an inherent indefeasible right; as they, and their ancestors, were free-born subjects, justly and naturally entitled to all the rights and advantages of the British constitution.

And the British legislative and executive powers have considered the colonies as possessed of these rights, and have always heretofore, in the most tender and parental manner, treated them as their dependent, though free, condition required. The protection promised on the part of the crown, with cheerfulness and great gratitude we acknowledge, hath at all times been given to the colonies. The dependence of the colonies to [on] Great Britain, hath been fully testified by a constant and ready obedience to all the commands of His present Majesty, and his royal predecessors; both men and money having been raised in them at all times when called for, with as much alacrity and in as large proportions as hath been done in Great Britain, the ability of each considered.

It must also be confessed with thankfulness, that the first adventurers and their successors, for one hundred and thirty years, have fully enjoyed all the freedoms and immunities promised on their first removal from England. But here the scene seems to be unhappily changing.

The British ministry, whether induced by a jealousy of the colonies, by false informations, or by some alteration in the system of political government, we have no information; whatever hath been the motive, this we are sure of, the Parliament in their last session, passed an act, limiting, restricting, and burdening the trade of these colonies, much more than had ever been done before; as also for greatly enlarging the power and jurisdiction of the courts of admiralty in the colonies; and also came to a resolution, that it might be necessary to establish stamp

duties, and other internal taxes, to be collected within them.[1] This act and this resolution, have caused great uneasiness and consternation among the British subjects on the continent of America. . . .

These resolutions, carried into execution, the colonies cannot but help consider as a manifest violation of their just and long enjoyed rights. For it must be confessed by all men, that they who are taxed at pleasure by others, cannot possibly have any property, can have nothing to be called their own. They who have no property, can have no freedom, but are indeed reduced to the most abject slavery. . . .

If we are told that those who lay these taxes upon the colonies, are men of the highest character for their wisdom, justice, and integrity, and therefore cannot be supposed to deal hardly, unjustly or unequally by any . . . it will make no alteration in the nature of the case; for one who is bound to obey the will of another, is as really a slave, though he may have a good master, as if he had a bad one. . . . And although they may have a very good master at one time, they may have a very bad one at another. And, indeed, if the people in America are to be taxed by the representatives of the people in Britain, their malady is an increasing evil, that must always grow greater by time. . . .

But it will be said, that the monies drawn from the colonies by duties, and by taxes, will be laid up and set apart to be used for their future defence. This will not at all alleviate the hardship, but serves only more strongly to mark the servile state of the people. Free people have ever thought, and always will think, that the money necessary for their defence, lies safest in their own hands. . . .

We are not insensible, that when liberty is in danger, the liberty of complaining is dangerous; yet a man on a wreck was never denied the liberty of roaring as loud as he could, says Dean Swift. And we believe no good reason can be given, why the colonies should not modestly and soberly inquire, what right the Parliament of Great Britain have to tax them.

[1] These acts are published in Macdonald, Select Charters . . . 1606–1775, pp. 272–305.

Taxation without Representation

31. The truth about the Stamp Act

[113]

Thirteen years after the passage of the Stamp Act, Benjamin Franklin, Commissioner of the United States at Paris, wrote the following letter to a friend, to clear away any misapprehension as to Grenville's motive in the proposal of that momentous measure. The letter was written about a month after Franklin, with his associates Silas Deane and Arthur Lee, had brought to a successful close his negotiations for treaty of alliance between France and the United States.

Passy, March 12, 1778

Dear Sir: —

In the pamphlets you were so kind as to lend me, there is one important fact misstated, apparently from the writer's not having been furnished with good information. It is the transaction between Mr. Grenville and the colonies, wherein he understands that Mr. Grenville demanded of them a specific sum, that they refused to grant anything, and that it was on their refusal only that he made the motion for the Stamp Act. No one of these particulars was true. The fact was this:

Some time in the winter of 1763–4 Mr. Grenville called together the agents of the several colonies, and told them that he purposed to draw a revenue from America; and to that end his intention was to levy a stamp duty on the colonies by act of Parliament in the ensuing session, of which he thought it fit that they should be immediately acquainted, that they might have time to consider; and if any other duty equally productive would be more agreeable to them, they might let him know it. The agents were therefore directed to write this to their respective Assemblies, and communicate to him the answers they should receive; the agents wrote accordingly.

I was a member in the Assembly of Pennsylvania when this notification came to hand. The observations there made upon it were, that the ancient, established, and regular method of drawing aid from the colonies was this: The occasion was

always first considered by their sovereign in his Privy Council, by whose sage advice he directed his Secretary of State to write circular-letters to the several governors, who were directed to lay them before their Assemblies. In those letters the occasion was explained to their satisfaction, with gracious expressions of his Majesty's confidence in their known duty and affection, on which he relied that they would grant such sums as should be suitable to their abilities, loyalty, and zeal for his service; that the colonies had always granted liberally on such requisitions, and so liberally during the late war, that the king, sensible they had granted much more than their proportion had recommended it to Parliament five years successively to make them some compensation, and the Parliament accordingly returned them £200,000 a year, to be divided among them; that the proposition of taxing them in Parliament, was therefore both cruel and unjust; that, by the constitution of the colonies, their business was with the king in matters of aid; they had nothing to do with any financier, nor he with them; nor were the agents the proper channels through which the requisitions should be made; it was therefore improper for them to enter into any stipulation, or make any proposition to Mr. Grenville about laying taxes on their constituents by Parliament, which had really no right at all to tax them, especially as the notice he had sent them did not appear to be by the king's order, and perhaps was without his knowledge, as the king, when he would obtain anything from them, always accompanied his requisition with good words, but this gentleman, instead of a decent demand, sent them a menace, that they should certainly be taxed, and only left them the choice of the manner. But all this notwithstanding, they were so far from refusing to grant money that they resolved to the following purpose: "That they always had, so they always should think it their duty to grant aid to the crown, according to their abilities, whenever required of them in the usual constitutional manner." I went soon after to England and took with me an authentic copy of this resolution, which I presented to Mr. Grenville before he brought in the Stamp Act. I asserted in the House of Commons (Mr. Grenville being present) that I had done so, and he did not deny it. Other colonies made similar

resolutions, and had Mr. Grenville, instead of that act, applied to the king in council for such requisitional letters to be circulated by the Secretary of State, I am sure he would have obtained more money from the colonies by their voluntary grants than he himself expected from the stamps. But he chose compulsion rather than persuasion, and would not receive from their good will what he thought he could obtain without it. And thus the golden bridge which the ingenious author [of the pamphlet which Franklin is criticising] thinks the Americans unwisely and unbecomingly refused to hold out to the minister and Parliament, was actually held out to them, but they refused to walk over it.

This is the true history of that transaction: and as it is probable there may be another edition of that excellent pamphlet, I wish this may be communicated to the candid author, who, I doubt not, will correct that error.

I am ever, with sincere esteem, dear sir, your most obedient, humble servant,

B. Franklin

32. The Circular Letter of Massachusetts Bay, 1768

[117]

The repeal of the Stamp Act in 1766 was accompanied by a Declaratory Act, asserting the right of the British Parliament "to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever." "This," said John Dickinson, "was only planting a barren tree that cast a *shade* indeed over the Colonies, but yielded *no fruit*." The tree, however, bore bitter fruit the next year in the Townshend Acts. Protests against the renewed determination of the British Parliament to tax the colonies without their consent arose on every hand. The most significant answer to the acts was the appointment, February 4, 1768, of a committee of seven by the Massachusetts House of Representatives "to write to the speakers of the other assemblies with reference to their joining in a petition to the King." Samuel Adams, chairman of the committee, drew up the following letter:

Province of Massachusetts Bay
Feb. 11, 1768

SIR:

The House of Representatives of this Province have taken into their serious Consideration, the great difficultys that must accrue to themselves & their Constituents by the operation of several acts of Parliament imposing Duties and Taxes on the American Colonys.

As it is a Subject in which every Colony is deeply interested they have no reason to doubt but your Assembly is deeply impressed with its Importance & that such constitutional measures will be come into as are proper. It seems to be necessary, that all possible Care should be taken, that the Representations of the several Assembly upon so delicate a point, should harmonize with each other: the House therefore hope that this letter will be candidly considered in no other Light than as expressing a Disposition freely to communicate their mind to a Sister Colony, upon a common Concern, in the same manner as they would be glad to receive the Sentiments of your or any other House of Assembly on the Continent.

The House have humbly represented to the ministry,[1] their own Sentiments that His Majestys high Court of Parliament is the supreme legislative Power over the whole Empire; That in all free States the Constitution is fixd; & as the supreme Legislative derives its Power and Authority from the Constitution, it cannot overleap the Bounds of it without destroying its own foundation; That the Constitution ascertains & limits both Sovereignty & allegiance, & therefore His Majestys American Subjects who acknowledge themselves bound by the Ties of Allegiance, have an equitable Claim to the full enjoym^t^ of the fundamental Rules of the British Constitution: That it is an essential unalterable Right in nature, ingrafted into the British Constitution, as a fundamental Law & ever held sacred & irrevocable by the Subjects within the Realm, that what a man has honestly

[1] Letters had been addressed, chiefly by Adams, to Lord Shelburne, January 15; to the Marquis of Rockingham, January 22; to the Lord Chancellor Camden, January 29; to Pitt, Earl of Chatham, February 2; and a petition had been sent to the King, January 20, 1768.

acquired is absolutely his own, which he may freely give, but cannot be taken from him without his consent: That the American Subjects may therefore exclusive of any Consideration of Charter Rights, with a decent firmness adapted to the Character of free men & Subjects assert this natural and constitutional Right.

It is moreover their humble opinion, which they express with the greatest Deferrence to the Wisdom of the Parliament that the Acts made there imposing Duties on the People of this province with the sole & express purpose of raising a Revenue, are Infringements of their natural & constitutional Rights, because as they are not represented in the British Parliam[t] His Majestys Commons in Britain by those Acts grant their Property without their consent.

This House further are of Opinion that their Constituents considering their local Circumstances cannot by any possibility be represented in the Parliament, & that it will forever be impracticable that they should be equally represented there & consequently not at all; being separated by an Ocean of a thousand leagues; and that His Majestys Royal Predecessors for this reason were graciously pleased to form a subordinate legislature here that their Subjects might enjoy the unalienable Right of a Representation. . . .

Upon these principles . . . this House have preferred a humble dutifull & loyal Petition to our most gracious Sovereign, & made such Representation to his Majestys Ministers, as they apprehended w[d] tend to obtain redress.

They have also submitted to Consideration whether any People can be said to enjoy any degree of Freedom if the Crown, in addition to its undoubted Authority of constituting a Gov[t], should also appoint him such a Stipend as it may judge proper without the Consent of the people & at their Expence. . . .

These are the Sentiments & proceedings of this House; & as they have too much reason to believe that the Enemys of the Colonys have represented them to His Majestys Ministers & the parl[t] as factions disloyal & having a disposition to make themselves independent of the Mother Country, they have taken occasion in the most humble terms to assure His Majesty & his

ministers that with regard to the People of this province & as they doubt not of all the colonies the charge is unjust.

The House is fully satisfyd that your Assembly is too generous and enlarged in sentiment, to believe, that this Letter proceeds from an Ambition of taking the Lead or dictating to the other Assemblys: They freely submit their opinions to the Judgment of others, & shall take it kind in your house to point out to them anything further which may be thought necessary.

This House cannot conclude without expressing their firm Confidence in the King our common head & Father, that the united & dutifull Supplications of his distressed American Subjects will meet with his royal & favorable Acceptance.

The response of the other colonies to the Massachusetts letter was prompt and cordial. The Virginia burgesses replied May 9, applauding the representatives of Massachusetts "for their attention to American liberty." On the same date the representatives of New Jersey acknowledged themselves "obliged" to Massachusetts and expressed themselves as "desirous to keep up a correspondence" on the subject. Connecticut, in replying on June 11, declared that "no constitutional measures proper for obtaining relief ought to be neglected by any," and that it was "important that their measures for that end should harmonize with each other, as their success may in great degree depend on their union in sentiment and practice, on this critical and interesting occasion."[1] In addition to the colonies mentioned, New Hampshire, Georgia, South Carolina, Rhode Island, and Maryland replied — eight colonies out of twelve. Lord Hillsborough, who in January 1768 had been appointed to the newly created office of Secretary of State for the Colonies, and

[1] The replies of the various assemblies may be found in John Almon, Prior Documents, London, 1777, pp. 213–219.

whose character Franklin summed up as "conceit, wrongheadedness, obstinacy, and passion," wrote Governor Bernard the following instructions relative to the letter sent out by the Massachusetts legislature:

Whitehall, April 22d, 1768

It gives great concern to his Majesty to find that the same moderation which appeared by your letter to have been adopted at the beginning of the session in a full assembly, had not continued, and that, instead of that spirit of prudence and respect to the constitution, which seemed at that time to influence the conduct of a large majority of the members, a thin house at the end of the session should have presumed to revert to, and resolve upon a measure of so inflammatory a nature as that of writing to the other colonies on the subject of their intended representations against some late acts of parliament.

His Majesty considers this step as evidently tending to create unwarrantable combinations, to excite an unjustifiable opposition, to the constitutional authority of Parliament, and to revive those unhappy divisions and distractions which have operated so prejudicially to the true interests of Great Britain and the colonies.

After what passed in the former part of the session . . . his Majesty cannot but consider this as a very unfair proceeding, and the resolutions taken thereupon to be contrary to the real sense of the assembly, and procured by surprize: and therefore it is the King's pleasure that so soon as the General Court is again assembled at the time prescribed by the charter, you should require of the House of Representatives in his Majesty's name, to rescind the resolution which gave birth to the circular letter from the Speaker, and to declare their disapprobation of, and their dissent to that rash and hasty proceeding.

His Majesty has the fullest reliance upon the affection of his good subjects in the Massachusetts Bay, and has observed, with satisfaction, that spirit of decency, and love of order, which has discovered itself in the conduct of the most considerable of its inhabitants; and therefore his Majesty has the better ground to hope, that the attempts made by a desperate faction to disturb

the public tranquillity, will be discountenanced, and that the execution of the measure recommended to you will not meet with any difficulty.

If it should, and if, notwithstanding the apprehensions which may justly be entertained of the ill consequence of the continuance of this factious spirit, which seems to have influenced the resolutions of the assembly at the conclusion of the last session, the new assembly should refuse to comply with his Majesty's reasonable expectation, it is the King's pleasure that you should immediately dissolve them, and transmit to me, to be laid before his Majesty, an account of their proceedings thereupon, to the end that his Majesty may, if he thinks fit, lay the whole matter before his Parliament, that such provisions as shall be found necessary may be made, to prevent for the future a conduct of extraordinary and unconstitutional a nature.

As it is not his Majesty's intention that a faithful discharge of your duty should operate to your own prejudice, or to the discontinuance of any necessary establishments, proper care will be taken for the support of the dignity of government.

I am, with great truth and regard,

Sir, your most obedient
humble servant
Hillsborough

33. The control of the purse strings

[122]

Among the more moderate American patriots, who wanted reform of abuses but abhorred the thought of separation from England, none was more influential with the pen than John Dickinson,[1] a prominent lawyer of Pennsylvania and Delaware. In his "Letters from a Farmer in"

[1] Dickinson earned the title of "the Penman of the Revolution." He wrote the Declaration of Rights (the protest of the Stamp Act Congress, 1765), the Petition of the First Continental Congress to the King (1774), the Address of the same Congress to the Inhabitants of Quebec (1774), the Declaration on the Colonists taking Arms, and the Final Petition to the King (1775). He also drafted the Articles of Confederation, which were the first Constitution of the United States (1781–1789). Dickinson lost his seat in the Continental Congress, and much of his popularity, by voting against independence in 1776.

Pennsylvania to the Inhabitants of the British Colonies," (1768) he protested hotly against the Townshend Acts. The ninth letter reads in part:

My dear Countrymen

I have made some observations on the *purposes* for which money is to be levied upon us by the late act of parliament. I shall now offer to your consideration some further reflections on that subject: And, unless I am greatly mistaken, if these purposes are accomplished according to the *expressed* intention of the act, they will be found effectually to supersede that authority in our respective assemblies, which is essential to liberty. The question is not whether some branches be lopt off — The axe is laid to the root of the tree; and the whole body must infallibly perish, if we remain idle spectators of the work.

No free people ever existed, or ever can exist, without keeping, to use a common but strong expression, "the purse strings" in their own hands. Where this is the case, they have a constitutional check upon the administration, which may thereby be brought into order without violence: But where such power is not lodged in the people, oppression proceeds uncontrouled in its career, till the governed, transported into rage, seek redress in the midst of blood and confusion. . . .

If money be raised upon us by others, without our consent, for our "defence," those who are the judges in levying it must also be the judges in applying it. Of consequence, the money said to be taken from us for our defence, *may be employed* to our injury. We may be chained in by a line of fortifications — obliged to pay for the building and maintaining them — and be told, that they are for our defence. With what face can we dispute the fact, after having granted that those who apply the money had a right to levy it? . . . Besides, the right of levying is of infinitely more consequence, than that of applying. The people of *England*, who would burst out into fury, if the crown should attempt to levy money by its own authority, have always assigned to the crown the application of money. . . .

The declared intention of the act [of 1767] is "that a revenue should be raised in his Majesty's *Dominions* in *America*, for making a more certain and adequate provision for defraying the charges of the *Administration of Justice*, and the support of *civil government* in such provinces where it shall be found necessary, and towards further defraying the expences of *defending, protecting and securing* the said dominions."

Let the reader pause here one moment — and reflect — whether the colony in which he lives, has not made such "certain and adequate provision" *for these purposes* as is by the colony judged suitable to its abilities, and all other circumstances. — Then, let him reflect — whether if this act takes place, money is not to be raised on that colony *without its consent*, to make "provision" *for those purposes*, which it does not judge to be suitable to its abilities, and all other circumstances. *Lastly*, let him reflect — whether the people of that country are not in a state of the most abject slavery, whose property may be taken from them under the notion of right, *when they have refused to give it.*

For my part, I think I have good reason for vindicating the honor of the assemblies on this continent, by publicly asserting, *that they have made as "certain and adequate provision" for the purposes above mentioned, as they ought to have made*, and that it should not be presumed, that they will not do it hereafter. Why then should *these most important trusts* be wrested out of their hands? Why should they not now be permitted to enjoy that authority, which they have exercised from the first settlement of these colonies? Why should they be scandalized by this innovation, when their respective provinces are now, and will be for several years, laboring under loads of debt, imposed on them for the very purpose now spoken of? . . . Is it possible to form an idea of slavery more complete, more miserable, more disgraceful, than that of a people, where justice is administered, government exercised, and a standing army maintained, *at the expence of the people*, and yet *without the least dependence upon them*? If we can find no relief from this infamous situation, let Mr. *Grenville* set his fertile fancy again at work, and as by one exertion of it he has stript us of our property and liberty, let him by another

deprive us of our understanding; that unconscious of what we have been or are, and ungoaded by tormenting reflections, we may bow down our necks, with all the stupid serenity of servitude, to any drudgery, which our lords and masters shall please to command. . . .

Venienti occurrite morbo
Oppose disease at its beginning

A Farmer

The Punishment of Massachusetts

34. Conflicting reports of the conflict at Lexington, April 19, 1775 [124]

The news of the battle of Lexington reached England, in General Gage's despatches, June 9, 1775, and the official account of the fight was forthwith published in the London *Gazette*. "From the praises bestowed upon officers and men for their activity and bravery," says Dr. Gordon, "it is evident that the Americans made the business of the day a hard, difficult, and dangerous service."[1] The following account of the battle hangs framed in the Hancock-Clark House, and is reprinted here by courtesy of the Lexington Historical Society.

A CIRCUMSTANTIAL ACCOUNT OF AN ATTACK THAT HAPPENED ON THE 19TH OF APRIL 1775, ON HIS MAJESTY'S TROOPS, BY A NUMBER OF THE PEOPLE OF THE PROVINCE OF MASSACHUSETTS-BAY

On Tuesday the 18th of April, about half past 10 at Night, Lieutenant-Colonel Smith of the 10th Regiment, embarked from the Common at Boston, with the Grenadiers and Light Infantry of the Troops there, and landed on the opposite side, from whence he began his March towards Concord, where he was ordered to destroy a magazine of military stores, deposited there for the Use of an Army to be assembled, in Order to act against his Majesty, and his Government. The Colonel called

[1] Reverend William Gordon, D.D., The History of the American Revolution, London, 1788, Vol. I, p. 503.

his Officers together and gave Orders that the Troops should not fire unless fired upon; and after marching a few miles, detached six Companies of Light Infantry under the command of Major Pitcairn, to take Possession of two Bridges on the other side of Concord. Soon after they heard many signal Guns, and the ringing of alarm Bells repeatedly, which convinced them that the Country was rising to oppose them, and that it was a preconcerted Scheme to oppose the King's Troops, whenever there should be a favorable Opportunity for it. About 3 o'clock the next Morning, the Troops being advanced within two Miles of Lexington, Intelligence was received that about Five Hundred Men in Arms, were assembled, and determined to oppose the King's Troops*; [*At this time advanced Light Companies loaded, but the Grenadiers were not loaded when they received their first Fire] and on Major Pitcairn's galloping up to the head of the advanced Companies, two Officers informed him that a Man (advanced from those that were assembled) had presented his musquit [musket] and attempted to shoot them, but the Piece flashed in the Pan. On this the Major gave directions to the Troops to move forward, but on no Account to fire, nor even to attempt it without Orders. When they arrived at the End of the Village, they observed about 200[1] armed Men, drawn up on a Green, and when the Troops came within a Hundred Yards of them, they began to file off towards some Stone Walls, on their right Flank: the Light Infantry observing this, ran after them; the

[1] This is a gross exaggeration. The *Salem Gazette* of Friday, April 21, 1775, under the caption "Bloody Butchery by the British Troops, or the Runaway Fight of the Regulars," says: "At sunrise they observed between 30 and 40 inhabitants exercising near the Meeting-House. The Commanding Officer ordered them to lay down their arms and disperse, which not being directly complied with he demanded them for a pack of rebels, ordered his men to fire upon them, and killed eight men on the spot, besides wounding several more." That there were men in England who believed the colonial report of the "bloody butchery" is shown by the fact that Horne Tooke was fined £1000 in 1777 for collecting and transmitting to Franklin a fund to relieve the widows and orphans of those "who faithful to the character of Englishmen, preferring death to slavery, were inhumanly murdered by the King's troops at or near Lexington and Concord."

Major instantly called to the Soldiers not to fire, but to surround and disarm them; some of them, who had jumped over a wall, then fired four or five shot at the Troops, wounded a man of the 10th Regiment, and the Major's Horse in two Places, and at the same Time several Shots were fired from a Meeting-House on the left: Upon this, without any Order or Regularity, the Light Infantry began a scattered Fire, and killed several of the Country People; but were silenced as soon as the Authority of their Officers could make them.* [*Notwithstanding the Fire from the Meeting-House, Colonel Smith and Major Pitcairn, with the greatest Difficulty, kept the Soldiers from forcing into the Meeting-House and putting all there in it to Death]. . . .

Far different is the account in the original dispatch of the news of the battle of Lexington, sent by express riders from Watertown, Massachusetts, a few hours after the battle, and attested by patriotic committees in all the towns through which it passed to reach Philadelphia, April 24.

Watertown
Wednesday morning, near 10 of the clock

To all friends of American liberty be it known that this Morning, before break of day, a brigade consisting of about 1000 or 1200 men, landed at Phip's farm at Cambridge, and marched to Lexington, where they found a company of our colony militia in arms, upon whom they fired without any provocation, and killed six men, and wounded four others. By an express from Boston, we find another bridage [brigade] are now upon their march from Boston, supposed to be about 1000. The bearer, Trail Bissel, is charged to alarm the country quite to Connecticut, and all persons are desired to furnish him with fresh horses as they may be needed. I have spoken with several who have seen the dead and wounded. Pray let the Delegates from this Colony to Connecticut see this, they know Colonel Foster, of Brookfield, one of the Delegates.

J. Palmer
One of the Company of S.Y. [Safety]

Anxious to prove that the British and not the Colonials fired the shot at Lexington which opened the Revolutionary War, the Provincial Congress of Massachusetts ordered many of the men who had taken part in the events of April 19 to tell their story under oath. A set of these depositions was sent to Benjamin Franklin, the Massachusetts agent in London, to be published. The letter to Franklin and the deposition of Captain John Parker, who commanded the Lexington Minutemen, follow:

In Provincial Congress, Watertown
April 26, 1775

To the Hon. Benjamin Franklin, Esq., London:

Sir: From the entire confidence we repose in your faithfulness and abilities, we consider it the happiness of this Colony that the important trust of agency for it, on this day of unequalled distress, is devolved on your hands; and we doubt not your attachment to the cause of the liberties of mankind will make every possible exertion in our behalf a pleasure to you, although our circumstances will compel us often to interrupt your repose by matters that will surely give you pain. A single instance hereof is the occasion of the present letter; the contents of this packet will be our apology for troubling you with it. From these you will see how and by whom we are at last plunged into the horrours of a most unnatural war. Our enemies, we are told, have despatched to *Great Britain* a fallacious account of the tragedy they have begun; to prevent the operation of which to the publick injury, we have engaged the vessel that conveys this to you as a packet in the service of this Colony, and we request your assistance in supplying Captain *Derby*, who commands her, with such necessaries as he shall want, on the credit of your Constituents in *Massachusetts-Bay*. But we most ardently wish that the several papers herewith enclosed may be immediately printed and dispersed through every Town in *England*, and especially communicated to the Lord Mayor, Aldermen, and Common Council of the City of *London*, that they may take such order thereon as they may think proper;

and we are confident your fidelity will make such improvement of them as shall convince all who are not determined to be in everlasting blindness, that it is the united efforts of both *Englands* that must save either. But that whatever price our bretheren in the one may be pleased to put on their constitutional liberties, we are authorized to assure you that the inhabitants of the other, with the greatest unanimity, are inflexibly resolved to sell theirs only at the price of their lives. Signed by order of the Provincial Congress:

Jos. Warren, President pro tem.

Lexington, April 25, 1775

I, John Parker, of lawful age, and Commander of the Militia in Lexington, do testify and declare that on the nineteenth instant, in the morning, about one of the clock, being informed that there were a number of Regular Officers riding up and down the road, stopping and insulting people as they passed the road, and also was informed that a number of Regular Troops were on their march from *Boston*, in order to take the Province Stores at *Concord*, ordered our Militia to meet on the common in said *Lexington*, to consult what to do, and concluded not to be discovered, nor meddle or make with said Regular Troops (if they should approach) unless they should insult us; and upon their sudden approach, I immediately ordered our Militia to disperse and not to fire. Immediately said Troops made their appearance and rushed furiously, fired upon and killed eight of our party, without receiving any provocation therefor from us.

John Parker

(Attested by Justices of the Peace of Middlesex County)

CHAPTER V

THE BIRTH OF THE NATION

The Declaration of Independence

Ten weeks after the affray on Lexington green, and on the very day that George Washington, as commander in chief, was reviewing the continental army at Cambridge (July 3, 1775) the more conservative members of the Continental Congress, who still hoped for reconciliation with England, secured the appointment of a committee to draw up a final petition to the king.[1] John Dickinson (see No. 33, p. 125) wrote the petition, which was signed July 8 — two days after the Congress had voted the resolution justifying armed resistance to Great Britain — and sent by Richard Penn to be laid before George III. But this "olive branch" petition had no better fate than all the preceding appeals to the king's officers, since the first protest against Grenville's proposed Stamp Act was denounced by the Lords of Trade as showing a "most indecent disrespect" to Parliament. King George's proclamation of

35. The final petition to King George III, July 8, 1775
[129]

[1] Dickinson, John Jay, and James Wilson were leading conservatives in the Continental Congress, opposed to the Adamses, Patrick Henry, Jefferson, and Christopher Gadsden. One radical writer, Dulaney, complained that Dickinson and Jay compelled Congress again "to whine in the Style of humble petitioners to the king." Jefferson said: "Congress gave a signal proof of their indulgence to Mr. Dickinson, and of their great desire not to go too fast for any respectable part of our body, in permitting him to draw their second petition to the King according to his own ideas, and passing it with scarcely any amendment." — "Autobiography," in Jefferson's Works, ed. P. L. Ford, Vol. I, p. 17.

the rebellion of the American colonies[1] was issued on the day set for the presentation of the petition.[2]

TO THE KING'S MOST EXCELLENT MAJESTY

Most gracious sovereign,

We, your Majesty's faithful subjects of the colonies of New Hampshire, Massachusetts bay, etc. . . . in behalf of ourselves, and the inhabitants of these colonies, who have deputed us to represent them in general Congress, entreat your Majesty's gracious attention to this our humble petition.

The union between our Mother country and these colonies, and the energy of mild and just government, produced benefits so remarkably important, and afforded such an assurance of their permanency and increase, that the wonder and envy of other Nations were excited, while they beheld Great Britain riseing to a power the most extraordinary the world had ever known.

Her rivals, observing that there was no probability of this happy connexion being broken by civil dissensions, and apprehending its future effects, if left any longer undisturbed, resolved to prevent her receiving such continual and formidable accessions of wealth and strength, by checking the growth of these settlements from which they were to be derived.

In the prosecution of this attempt, events so unfavourable to the design took place, that every friend to the interests of Great Britain and these colonies, entertained pleasing and reasonable expectations of seeing an additional force and extention immediately given to the operations of the union hitherto experienced, by an enlargement of the dominions of the Crown and the removal of ancient and warlike enemies to a greater distance.

[1] See facsimile of the proclamation in Muzzey, An American History, p. 131.

[2] Though the king refused audience to the bearers of the "olive branch" petition, it was laid before the House of Lords on November 7, where the motion that it offered a basis for reconciliation was rejected by a vote of 83 to 33. A week later a proposal for conciliation submitted by Edmund Burke to the House of Commons was rejected by a vote of 210 to 105. King and Parliament were therefore committed to the prosecution of war in America before the end of the year 1775.

At the conclusion, therefore, of the late war [with the French, 1754–1763]; the most glorious and advantageous that had ever been carried on by British arms, your loyal colonists having contributed to its success, by such repeated and strenuous exertions, as frequently procured them the distinguished approbation of your Majesty, of the late king [George II, died 1760], and of parliament, doubted not but that they should be permitted, with the rest of the empire, to share in the blessings of peace and in the emoluments of victory and conquest. While these recent and honorable acknowledgments of their merits remained on record in the journals and acts of that august legislature, the Parliament, undefaced by the imputation or even the suspicion of any offence, they were alarmed by a new system of statutes and regulations adopted for the administration of the colonies, that filled their minds with the most painful fears and jealousies; and, to their inexpressible astonishment, perceived the dangers of a foreign quarrel quickly succeeded by domestic dangers, in their judgment, of a more dreadful kind.

Nor were their anxieties alleviated by any tendency in this system to promote the welfare of the Mother country. For tho' its effects were more immediately felt by them, yet its influence appeared to be injurious to the commerce and prosperity of Great Britain.

We shall decline the ungrateful task of describing the irksome variety of artifices practised by many of your Majesty's Ministers, the delusive pretences, fruitless terrors, and unavailing severities, that have, from time to time, been dealt out by them, in their attempts to execute this impolitic plan, or of tracing, thro' a series of years past, the progress of the unhappy differences between Great Britain and these colonies, which have flowed from this fatal source. Your Majesty's Ministers, persevering in their measures, and proceeding to open hostilities for enforcing them, have compelled us to arm in our own defence, and have engaged us in a controversy, so peculiarly abhorrent to the affections of your still faithful colonists, that when we consider whom we must oppose in this contest, and if it continues, what may be the consequences, our own particular misfortunes are accounted by us only as parts of our distress.

Knowing to what violent resentments and incurable animosities civil discords are apt to exasperate and inflame the contending parties, we think ourselves required by indispensable obligations to Almighty God, to your Majesty, to our fellow subjects, and to ourselves, immediately to use all the means in our power, not incompatible with our safety, for stopping the further effusion of blood, and for averting the impending calamities that threaten the British Empire.

Thus called upon to address your Majesty on affairs of such moment to America, and probably to all your dominions, we are earnestly desirous of performing this office, with the utmost deference for your Majesty; and we therefore pray that your royal magnanimity and benevolence may make the most favorable construction of our expressions on so uncommon an occasion. Could we represent in their full force, the sentiments that agitate the minds of us your dutiful subjects, we are persuaded your Majesty would ascribe any seeming deviation from reverence in our language, and even in our conduct, not to any reprehensible intention, but to the impossibility of reconciling the usual appearances of respect, with a just attention to our own preservation against those artful and cruel enemies, who abuse your royal confidence and authority, for the purpose of effecting our destruction.

Attached to your Majesty's person, family, and government, with all devotion that principle and affection can inspire, connected with Great Britain by the strongest ties that can unite societies, and deploring every event that tends in any degree to weaken them, we solemnly assure your Majesty, that we not only most ardently desire the former harmony between her and these colonies may be restored, but that a concord may be established between them upon so firm a basis as to perpetuate its blessings, uninterrupted by any future dissentions, to succeeding generations in both countries, and to transmit your Majesty's Name to posterity, adorned with that signal and lasting glory, that has attended the memory of those illustrious personages, whose virtues and abilities have extricated states from dangerous convulsions, and, by securing happiness to others, have erected the most noble and durable monuments to their own fame.

We beg leave further to assure your Majesty, that notwithstanding the sufferings of your loyal colonists, during the course of the present controversy, our breasts retain too tender a regard for the kingdom from which we derive our origin, to request such a reconciliation as might, in any manner, be inconsistent with her dignity or her welfare. . . ; and the apprehensions that now oppress our hearts with unspeakable grief, being once removed, your Majesty will find your faithful subjects on this continent ready and willing at all times, as they have ever been, with their lives and fortunes, to assert and maintain the rights and interests of your Majesty, and of our Mother country.

We, therefore, beseech your Majesty, that your royal authority and influence may be graciously interposed to procure us relief from our afflicting fears and jealousies, occasioned by the system before mentioned, with all humility submitting to your Majesty's wise consideration whether it may not be expedient for facilitating those important purposes, that your Majesty be pleased to direct some mode, by which the united applications of your faithful colonists to the throne, in pursuance of their common councils, may be improved into a happy and permanent reconciliation; and that, in the mean time, measures may be taken for preventing the further destruction of the lives of your Majesty's subjects; and that such statutes as more immediately distress any of your Majesty's colonies may be repealed.

For by such arrangements as your Majesty's wisdom can form, for collecting the united sense of your American people, we are convinced your Majesty would receive such satisfactory proofs of the disposition of the colonists towards their sovereign and parent state, that the wished for opportunity would soon be restored to them, of evincing the sincerity of their professions, by every testimony of devotion becoming the most dutiful subjects and the most affectionate colonists.

That your Majesty may enjoy a long and prosperous reign, and that your descendants may govern your dominions with honor to themselves and happiness to their subjects, is our sincere and fervent prayer.

John Hancock [President]
[and forty eight members of the Congress]

36. Thomas Paine's argument for independence, January 10, 1776

[132] Nothing could be more inconsistent than the conduct of the colonists during the entire year 1775: hurling defiance at Great Britain and protesting loyalty to George III; besieging the royal governor in Boston with troops, and the royal ear in Britain with petitions. On the same day (June 25, 1775) George Washington passed through the city of New York on his way to take command of the continental troops at Cambridge, and William Tryon, King George's governor, landed at the Battery. The militia of New York, with apparently equal enthusiasm, served as escort through the city, first to the rebel general, then to the royal governor. The first clear call to the American colonies to abandon this equivocal position and declare independence of Great Britain without reservations, apologies, or regrets, was Thomas Paine's "Common Sense," "a pamphlet," says Conway,[1] "whose effect has never been paralleled in literary history." After discussing the origin and design of government in general, and of Great Britain's hereditary monarchy in particular, Paine comes to the American situation.

[1] M. D. Conway, Writings of Thomas Paine, Vol. I, p. 67 n. There had been speculation before as to the probable eventual separation of the colonies from England (see No. 30, pp. 112 ff.) and general prophecies, like that of Turgot's, that colonies were like fruits, which would drop from the tree when ripe. Also thwarted royal governors or irate councilors had been quick to accuse the colonists of striving for "independency." But unless the real feelings of the leading men in America were disguised or hidden, John Adams must have been looking back on events through the coloring medium of the Revolution when he wrote in 1807 that "the necessity of [American independence] some time or other, was always familiar to gentlemen of reflection in all parts of America" (Works, ed. C. F. Adams, Vol. IX, p. 561). In November, 1775, Congress recommended to New Hampshire the establishment of an independent government only "during the continuance of the present dispute between Great Britain and the colonies" (Journals of the Continental Congress, ed. W. C. Ford, Vol. III, p. 319).

Volumes have been written on the subject of the struggle between England and America. Men of all ranks have embarked in the controversy, from different motives and with various designs: but all have been ineffectual, and the period of debate is closed. Arms as the last resort decide the contest; the appeal was the choice of the King, and the Continent has accepted the challenge.

The Sun never shined on a cause of greater worth. 'Tis not the affair of a City, a County, a Province, or a Kingdom; but of a Continent — of at least one eighth part of the habitable Globe. 'Tis not the concern of a day, a year, or an age; posterity are virtually involved in the contest, and will be more or less affected even to the end of time, by the proceedings now. Now is the seed-time of Continental union, faith and honour. The least fracture now would be like a name engraved with the point of a pin on the tender rind of a young oak; the wound would enlarge with the tree, and posterity read it in full-grown characters.

By referring the matter from argument to arms, a new era for politics is struck — a new method of thinking hath arisen. All plans, proposals, &c. prior to the nineteenth of April, i.e. to the commencement of hostilities, are like the almanacks of the last year; which, tho' proper then, are superceded and useless now....

I have heard it asserted by some, that as America has flourished under her former connection with Great-Britain, the same connection is necessary towards her future happiness, and will always have the same effect. Nothing can be more fallacious than this kind of argument. We may as well assert that because a child has thrived upon milk, that it is never to have meat. . . . I answer roundly that America would have flourished as much, and probably more, had no European power taken any notice of her. The commerce by which she hath enriched herself are the necessaries of life, and will always have a market while eating is the custom of Europe.

But she has protected us, say some. That she hath engrossed us is true, and defended the Continent at our expence as well as her own, is admitted; and she would have defended Turkey from the same motive, *viz.*, for the sake of trade and dominion.

Alas! we have been long led away by ancient prejudices, and made large sacrifices to superstition. We have boasted the protection of Great Britain, without considering, that her motive was *interest* not *attachment*; and that she did not protect us from *our enemies* on *our account*, but from *her enemies* on *her own account*, from those who had no quarrel with us on any *other account*, and who will always be our enemies on the *same account*. Let Britain waive her pretensions to the Continent [America], or the Continent throw off the dependance, and we should be at peace with France and Spain, were they at war with Britain. . . . France and Spain never were, nor perhaps ever will be, our enemies as *Americans*, but only as our being the *subjects of Great Britain*.[1] . . .

I challenge the warmest advocate for reconciliation to show a single advantage that this continent can reap by being connected with Great Britain. I repeat the challenge; not a single advantage is derived. Our corn will fetch its price in any market in Europe, and our imported goods must be paid for, buy them where we will.

But the injuries and disadvantages which we sustain by that connection are without number; and our duty to mankind at large, as well as to ourselves, instruct us to renounce the alliance. . . . Europe is too thickly planted with kingdoms to be long at peace, and whenever a war breaks out between England and any foreign power, the trade of America goes to ruin, *because of her connection with Great Britain*. . . . Everything that is right or reasonable pleads for separation. The blood of the slain, the weeping voice of nature cries, 'Tis TIME TO PART. . . . For as Milton wisely expresses, "never can true reconcilement grow where wounds of deadly hate have pierced so deep." . . .

As to government matters, 'tis not in the power of Great Britain to do this continent justice: the business of it will soon be too weighty and intricate to be managed with any tolerable degree of convenience, by a power so distant from us, and so very ignorant of us; for if they cannot conquer us, they cannot

[1] Here is the germ of the American doctrine of the undesirability of entangling foreign alliances, as developed in Washington's Farewell Address of 1796 and the Monroe Doctrine of 1823.

govern us. To be always running three or four thousand miles with a tale or a petition, waiting four or five months for an answer, which, when obtained, requires five or six more to explain it in, will in a few years be looked on as folly and childishness. There was a time when it was proper, and there is a proper time for it to cease. . . .

To talk of friendship with those in whom our reason forbids us to have faith, and our affections, wounded through a thousand pores, instruct us to detest, is madness and folly. Every day wears out the little remains of kindred between us and them; and can there be any reason to hope, that as the relationship expires, the affection will encrease, or that we shall agree better when we have ten times more and greater concerns to quarrel over than ever?

Ye that tell us of harmony and reconciliation, can ye restore to us the time that is past? . . . The last cord now is broken, the people of England are presenting addresses against us. There are injuries which nature cannot forgive: she would cease to be nature if she did. . . . The social compact would dissolve, and justice be extirpated from the earth, or have only a casual existence were we callous to the touches of affection. . . .

O! ye that love mankind! Ye that dare oppose not only the tyranny but the tyrant, stand forth! Every spot of the old world is overrun with oppression. Freedom hath been hunted round the Globe. Asia and Africa have long expelled her. Europe regards her like a stranger, and England hath given her warning to depart. O! receive the fugitive, and prepare in time an asylum for mankind!

37. The French alliance [139]

"Comparatively few people of the present generation," says Mr. Charlemagne Tower, Jr., in his work on "The Marquis de Lafayette in the American Revolution" (p. iv), "are aware of the inestimable benefits which the French nation conferred upon our forefathers during the American Revolution, at a time when America was without credit abroad and when our cause aroused no other national

sympathy in the world than that of our faithful ally. France had her grievances against Great Britain as well as we, it is true.... But for us Americans the essential facts to be remembered in connection with the alliance are that we went of our own accord to ask France for help[1] and that we received it of her." In the summer of 1777 the young Marquis de Lafayette came to America, fortified by a letter of introduction to Congress from Franklin and Deane, to offer his services to the patriot cause. On July 31, 1777, Congress passed the following resolution:

> Whereas the Marquis de Lafayette, out of his great zeal to the cause of liberty, in which the United States are engaged, has left his family and connections, and at his own expence come over to offer his services to the United States without pension or particular allowance, and is anxious to risque his life in our cause — Resolved that his service be accepted, and that in consideration of his zeal, illustrious family and connections he have rank and commission of Major General in the Army of the United States.

Lafayette replied in the following letter, the original of which is in the Archives of the State Department at Washington:[2]

the 13 august 1777

SIR

I beg that you will receive yourself and present to Congress my thanks for the Commission of Major General in the Army of the United States of America which I have been honor'd with in their name the feelings of my heart, long before it became my duty, engaged me in the love of the American cause.

[1] See the facsimile of Franklin's letter to the French minister Vergennes, asking for an alliance — our first diplomatic correspondence — in Muzzey, An American History, p. 139.

[2] Mr. Charlemagne Tower, Jr., has published a facsimile of this quaint letter in "The Marquis de Lafayette in the American Revolution," p. 184.

I not only consider'd it as the cause of Honor, Virtue, and universal Happiness, but felt myself empressed with the warmest affection for a nation who exhibited by their resistance so fine an exemple of Justice and Courage to the Universe.

I schall neglect nothing on my part to justify the confidence which the Congress of the United States has been pleased to repose in me as my highest ambition has ever been to do everything only for the best of the cause in which I am engaged. I wish to serve near the person of General Washington till such time as he may think proper to entrust me with a division of the Army.

it is now as an american that I 'l mention every day to congress the officers who came over with me, whose intcrests are for me as my own, and the consideration which they deserve by their merits their ranks, their state and reputation in France.

I am sir with sentiments which every good american owe to you

Your most obedient

servant the mq[is] de lafayette

to

the honorable M[r] Hankok

president of Congress

Philadelphia

After Burgoyne's surrender the French government concluded not only the "treaty of amity and commerce" which the American commissioners had been seeking to gain for a year, but also a treaty of defensive alliance, February 6, 1778. This was the earliest recognition of the United States by a foreign power, and the only treaty of alliance we have ever made. The chief articles read as follows:

Article I. If war should break out between France and Great Britain during the continuance of the present war between the United States and England, his majesty [Louis XVI] and the said United States shall make it a common cause, and aid each other mutually with their good offices, their counsels,

and their forces, according to the exigence of conjunctures, as becomes good and faithful allies.

Article II. The essential and direct end of the present defensive alliance is, to maintain effectually the liberty, sovereignty, and independence absolute and unlimited of the United States, as well in matters of government as of commerce. . . .

Article V. If the United States should think fit to attempt the reduction of the British power remaining in the northern parts of America, or in the islands of Bermudas, those countries or islands, in case of success, shall be confederated with or dependent upon the said United States.

Article VI. The most christian king renounces forever the possession of the islands of Bermudas, as well as of any part of the continent of North America which, before the treaty of 1763, or in virtue of that treaty, were acknowledged to belong to the crown of Great Britain, or to the United States, heretofore called British colonies. . . .

Article VII. If his most christian majesty shall think proper to attack any of the islands situated in the gulf of Mexico, or near that gulf, which are at present under the power of Great Britain, all the said isles, in case of success, shall appertain to the crown of France.

Article VIII. Neither of the two parties shall conclude either truce or peace with Great Britain, without the formal consent of the other first obtained; and they mutually engage not to lay down their arms until the independence of the United States shall have been formally, or tacitly, assured by the treaty or treaties, that shall terminate the war.

Article X. The most christian king and the United States agree to invite or admit other powers, who may have received injuries from England, to make common cause with them, and to accede to the present alliance, under such conditions as shall be freely agreed to and settled between all the parties. . . .

Done at Paris, this 6th day of February, one thousand seven hundred and seventy-eight

C. A. Gérard

B. Franklin
Silas Deane
Arthur Lee

Thursday, August 6, 1778, M. Gérard, the French signatory of the above treaty, was presented to Congress as the first foreign minister accredited to the United States. He presented as his credentials the following letter from Louis XVI:

Very dear, great friends and allies:

The treaties which we have signed with you, in consequence of the proposals of your commissioners made to us in your behalf, are a certain assurance of our affection for the United States in general, and for each of them in particular, as well as of the interest we take and constantly shall take in their happiness and prosperity. It is to convince you more particularly of this that we have appointed the Sieur Gérard, Secretary of our council of state, to reside among you in the quality of minister plenipotentiary. He is the better acquainted with our sentiments towards you, and the more capable of testifying the same to you, as he was entrusted on our part to negotiate with your commissioners and signed with them the treaties which cement our union. We pray you to give full credit to all he shall communicate to you from us, more especially when he shall assure you of our affection and constant friendship for you. We pray God, very dear, great friends and allies, to have you in his holy and noble keeping.

Versailles, 28 March, 1778

Your good friend and ally

Louis

Gravier de Vergennes

M. Gérard then made a short speech, to which the president of the Congress replied as follows:

Sir: The treaties between his most Christian majesty and the United States of America, so fully demonstrate his wisdom and magnanimity as to command the reverence of all nations. The virtuous citizens of America, in particular, can never forget his beneficent attention to their violated rights, nor cease to acknowledge the hand of a gracious Providence in raising them

up so powerful and illustrious a friend. It is the hope and opinion of Congress that the confidence his majesty reposes in the firmness of these states, will receive additional strength from every day's experience.

This assembly are convinced, sir, that had it rested solely with the most Christian king, not only the independence of these states would have been universally acknowledged, but their tranquillity fully established. We lament that lust of domination which gave birth to the present war, and hath prolonged and extended the miseries of mankind. We ardently wish to sheath the sword, and spare further effusion of blood; but we are determined, by every means in our power, to fulfil those eventual engagements which have acquired positive and permanent force from the hostile designs and measures of the common enemy.

Congress have reason to believe that the assistance so wisely and generously sent, will bring Great Britain to a sense of justice and moderation, promote the interests of France and America, and secure peace and tranquillity on the most firm and honorable foundation. Neither can it be doubted that those who adminster the powers of government within the several states of this union will cement that connection with the subjects of France, the beneficial effects of which have already been so sensibly felt.

Sir: From the experience we have had of your exertions to promote the true interests of our country as well as your own, it is with the highest satisfaction Congress receive as the first minister from his most Christian majesty, a gentleman whose past conduct affords a happy presage, that he will merit the confidence of this body, the friendship of its members, and the esteem of the citizens of America.

In Congress, August 6, 1778

Henry Laurens
President

France scrupulously fulfilled the treaty. Her aid was generous and timely. However, when the "essential and direct end" of the alliance, as expressed in Article II, was made possible by the surrender of the British Army

at Yorktown, it was so manifestly to the advantage of the United States to make peace with England, that Franklin and his colleagues at Paris began negotiations in spite of explicit instructions from Congress to respect Article VIII of the treaty. When the French minister Vergennes discovered this he wrote with pardonable indignation to Franklin.[1]

Versailles, December 15, 1782

SIR,

. . . I am at a loss to explain your conduct and that of your colleagues on this occasion. You have concluded your preliminary articles without any communication between us, although the instructions from Congress prescribe, that nothing shall be done without the participation of the King. You are about to hold out a certain hope of peace to America, without even informing yourself on the state of the negotiation on our part.

You are wise and discreet, Sir; you perfectly understand what is due propriety; you have all your life performed your duties. I pray you to consider how you propose to fulfil those, which are due to the King? I am not desirous of enlarging on these reflections; I commit them to your own integrity. When you shall be pleased to relieve my uncertainty, I will entreat the King to enable me to answer your demands [for money]. I have the honor to be, Sir, with sincere regards, &c.

de Vergennes

Franklin's reply was a shrewd combination of flattery and finesse, by which, sailing dangerously close to sophistry, he was nevertheless able to pacify and satisfy Vergennes.

[1] Four days later Vergennes wrote to Luzerne, the French minister in America: "If we may judge the future by what has passed here under our eyes, we shall be but poorly paid for all we have done for the United States, and for securing to them a national existence" (Works of Benjamin Franklin, ed. Smyth, Vol. X, p. 393). Franklin, Jay, and Adams narrowly escaped being recalled in disgrace, on the complaint of Luzerne to Congress.

Passy, December 17, 1782

Sir,

I received the letter your Excellency did me the honor of writing to me on the 15th instant. . . . Nothing has been agreed in the preliminaries contrary to the interests of France; and no peace is to take place between us and England, till you have concluded yours. Your observation is, however, apparently just, that in not consulting you before they were signed, we have been guilty of neglecting a point of *bienséance* [courtesy]. But as this was not from want of respect for the King, whom we all love and honor, we hope it will be excused, and that the great work, which has hitherto been so happily conducted, is so nearly brought to perfection, and is so glorious to his reign, will not be ruined by a single indiscretion of ours. And certainly the whole edifice sinks to the ground immediately, if you refuse on that account to give us any further assistance. . . .

It is not possible for anyone to be more sensible than I am of what I and every American owe to the King, for the many and great benefits and favors he has bestowed upon us. All my letters to America are proofs of this; all tending to make the same impressions on the minds of my countrymen, that I felt in my own. And I believe, that no Prince was ever more beloved and respected by his own subjects, than the King is by the people of the United States. *The English, I just now learn, flatter themselves they have already divided us.* I hope this little misunderstanding will therefore be kept a secret, and that they will find themselves totally mistaken. With great and sincere respect, I am, Sir, &c.

B. Franklin

The Revolutionary War

38. George Rogers Clark's capture of Vincennes, February 24, 1779

[148]

Among the little group of intrepid men who made the wonderful midwinter march from the Mississippi to the Wabash with George Rogers Clark in 1779, was Captain Joseph Bowman, whose journal of the expedition first appeared in print in the Louisville *Literary News* of November 24, 1840, from an original manuscript in the

possession of the Kentucky Historical Association. The journal covers the period from January 27, when Clark at Kaskaskia heard the news of Governor Hamilton's seizure of Vincennes, to March 20, when the six boats conveying Clark's band and their British captives, "after rejoicing, were run out of sight" down the river on their return journey to the Mississippi post.

Jan. 27 [1779]. Mr. Vigo, a Spanish subject, who has been at Post St. Vincent [Vincennes] on his lawful business, arrived and gave us intelligence that Governor Hamilton, with thirty regulars and fifty volunteers and about four hundred Indians, had arrived in November and taken that post, with Captain Helm and such other Americans who were there with arms . . . and disarmed the settlers and inhabitants, on which Colonel Clark called a council of his officers, and it was concluded to go and attack Governor Hamilton at St. Vincent. . . .

Jan. 31st. Sent an express to Cahokia for volunteers and other extraordinary things.

Feb. 1st. Orders given for a large batteau [boat] to be repaired and provisions got ready for the expedition concluded on.

5th. Raised another company of volunteers, under the command of Capt. Francis Charleville, which, added to our force, increased our number to one hundred and seventy men . . . about three o'clock we crossed the Kaskaskia with our baggage, and marched about a league from town. Fair and drizzly weather. Began our march early. Made a good march for about nine hours. The road very bad with mud and water. Pitched our camp in a square, baggage in the middle, every company to guard their own squares.

8th. Marched early through the waters, which we now began to meet in those large and level plains, where from the flatness of the country [the water] rests a considerable time before it drains off; notwithstanding which our men were in great spirits, though much fatigued. . . .

12th. Marched across Cot plains; saw and killed a number of buffaloes. The road very bad from the immense quantity of rain

that had fallen. The men much fatigued. . . . Now twenty-one miles from St. Vincent. . . .

15th. Ferried across the two Wabashes, it being then five miles in water to the opposite hills, where we encamped. Still raining. Orders not to fire any guns for the future, but in case of necessity.

16th. Marched all day through rain and water; crossed Fox river. Our provisions began to be short. . . .

22d. Colonel Clark encourages his men, which gave them great spirits. Marched on in the waters. . . . Heard the evening and morning guns from the fort. No provisions yet. Lord help us!

23d. Set off to cross the plain called Horse-shoe Plain, about four miles long, all covered with water breast high. Here we expected some of our brave men must certainly perish, having frozen in the night and so long fasting. Having no other resource but wading this plain, or rather lake, of waters, we plunged into it with courage, Colonel Clark being first, taking care to have the boats try to take those that were weak and numbed with the cold into them. Never were men so animated with the thought of avenging the wrongs done to their back settlements as this small army was. About one o'clock we came in sight of the town. We halted on a small hill of dry land called Warren's Island, where we took a prisoner, hunting ducks, who informed us that no person suspected our coming at that season of the year. Colonel Clark wrote a letter by him to the inhabitants, in the following manner:

To the Inhabitants of Post St. Vincent:

Gentlemen: Being now within two miles of your village with my army, determined to take your fort this night, and not being willing to surprize you, I take this method to request such of you as are true citizens, and willing to enjoy the liberty I bring you, to remain still in your houses, and those, if any there be, who are friends to the king, will instantly repair to the fort and join the *Hair-buyer General*[1] and fight like men. And if any such as do not go to the fort shall be discovered afterwards, they may depend on severe punishment. On the contrary, those who are true friends to liberty may depend

[1] Governor Hamilton had offered rewards to the Indians for the scalps of Americans.

on being well treated; and I once more request them to keep out of the streets, for every one I find in arms on my arrival I shall treat as an enemy.

G. R. Clark

After wading to the edge of the water breast high we mounted the rising ground the town is built on about eight o'clock [p.m.]. Lieutenant Bailey, with fourteen regulars, was detached to fire on the fort while we took possession of the town. . . . The cannon played smartly. Not one of our men wounded. Men in the fort badly wounded. Fine sport for the sons of Liberty.

24th. As soon as daylight, the fort began to play her small arms very briskly. One of our men got slightly wounded. About nine o'clock the colonel sent a flag with a letter to Governor Hamilton. The firing then ceased, during which time our men were provided with a breakfast, it being the only meal of victuals since the 18th inst.

Colonel Clark's Letter, as follows:

Sir: — In order to save yourself from the impending storm that now threatens you I order you to surrender yourself, with all your garrison, stores, etc., etc., etc. For, if I am obliged to storm, you may depend on such treatment as is justly due to a murderer. Beware of destroying stores of any kind, or any papers or letters that are in your possession; for, by heaven, if you do, there shall be no mercy shown you.

G. R. Clark

Answer from Governor Hamilton:

Governor Hamilton begs leave to acquaint Colonel Clark that he and his garrison are not disposed to be awed into an action unworthy of British subjects.

The firing then began very hot on both sides. None of our men wounded; several of the men in the fort wounded through the port-holes, which caused Governor Hamilton to send out a flag with the following letter:

Governor Hamilton proposes a truce for three days. . . . He wishes to confer with Colonel Clark as soon as can be. . . . If Colonel Clark makes a difficulty of coming into the fort, Lieutenant-Governor Hamilton will speak to him by the gate.

Henry Hamilton

Colonel Clark's Answer

Colonel Clark's compliments to Governor Hamilton, and begs to inform him that he will not agree to any other terms than that of Mr. Hamilton's surrendering himself and garrison prisoners at discretion. If Mr. Hamilton is desirous of a conference with Colonel Clark, he will meet him at the church with Captain Helm.

G. R. C.

The messenger returned with the above answer, during which time came a party of Indians down the hill behind the town, who had been sent by Governor Hamilton to get some scalps and prisoners from the falls of the Ohio. Our men having got news of it pursued them, killed two on the spot, wounded three, took six prisoners — brought them into town . . . brought them to the main street before the fort gate, there tomahawked them and threw them into the river, during which time Colonel Clark and Governor Hamilton met at the church. Governor Hamilton produced certain articles of capitulation, with his name signed to them, which were refused. The Colonel told him he would consult with his officers and let him know the terms he would capitulate on. Terms as follows:

1. The Lieutenant-Governor Hamilton engages to deliver up to Colonel Clark Fort Sackville as it is at present, with all the stores, etc., etc., etc.

2. The garrison are to deliver themselves as prisoners of war, and march out with their arms and accoutrements etc., etc.

3. The garrison to be delivered up at 10 o'clock tomorrow. . . . Signed at Post St. Vincent, 24th February, 1779.

Agreed to, for the following reasons: The remoteness from succor, the state and quantity of provisions; unanimity of officers and men in its expediency, the honorable terms allowed, and, lastly, the confidence in a generous enemy.

Henry Hamilton

25th. About ten oclock Capt. Bowman's and Capt. McCarty's companies paraded on one side of the fort gate. Governor Hamilton and his garrison marched out, while Colonel Clark, Capt. William's and Worthington's companies marched into the

fort, relieved the sentries, hoisted the American colors, and secured all the arms. . . .

27th. . . . came William Mires from Williamsburg [Virginia] with very good news. . . .

The "very good news" was the thanks of the Virginia House of Burgesses to Clark for his capture of the Mississippi posts and a major's commission for Captain Bowman. Clark wrote to the Speaker of the House ten days before quitting Vincennes:

Fort St. Henry St. Vincent, Mar. 10, 1779

Dr Sir,

I received your kind letter with the thanks of the House inclosed. I must confess, Sir, that I think my country has done me more honor than I merited, but may rest assured that my study shall be to deserve that Honor they have already conferr'd on me.

by my publick letters you will be fully acquainted with my late successful expedition against Lt. Govr Hamilton who has fallen into my hands with all the principal Partizans of Detroit. This stroke will nearly put an end to the Indian war, had I but men enough to take advantage of the present confusion of the Indian nations, I could silence the whole in two months. I learn that five hundred men is ordered out to reinforce me. If they arrive with what I have in the country, I am in hopes will enable me to do something clever,

I am with respect Sir,

Your very humble servant

G. R. Clark

Colonel Harrison
Speaker of the House,
Williamsburg
pr Wm Moires

Peace

39. The Tories [152]

Soon after the surrender of Cornwallis at Yorktown, the Loyalists, or Tories, in America addressed the following "humble and dutiful declaration to the king's most excellent majesty, to both houses of parliament, and the

people of Great Britain." The Declaration appeared in the *London Chronicle* of March 9, 1782.

We, his majesty's most dutiful and faithful subjects, the loyal inhabitants of America, who have happily got within the protection of the British forces, as well as those who, though too wise not to have foreseen the fatal tendency of the present wanton and causeless rebellion, yet from numberless obstacles, and unexampled severities, have hitherto been compelled to remain under the tyranny of the rebels, and submit to the measures of congressional usurpation; animated with the purest principles of duty and allegiance to his majesty and the British parliament, beg leave, with the deepest humility and reverence, on the present calamitous occasion of public and national misfortune, in the surrender of lord Cornwallis, and the army under his lordship's command, at Yorktown, humbly to entreat that your majesty, and the parliament, would be graciously pleased to permit us to offer this renewed testimony of loyalty and attachment to our most gracious sovereign, and the British nation and government; and thus publicly to repeat our most heart-felt acknowledgments for the infinite obligations we feel ourselves under for the heavy expenses that have been incurred, and the great national exertions that have been made, to save and rescue us, and your American colonies, from impending ruin, and the accumulated distresses and calamities of civil war. . . . Our sufferings as men, and our duty as loyal subjects, point out to us at once, the propriety, in our present situation, of thus publicly repeating our assurances, that we revere, with a kind of holy enthusiasm, the ancient constitution of the American colonies; and that we cannot but lament every event, and be anxiously solicitous to remove every cause or suspicion, that might have the most distant tendency to separate the two countries. . . .

Unhappily, indeed, for ourselves, and we cannot but think unfortunately too for Great Britain, the number of well affected inhabitants in America to the parent country, cannot, for obvious reasons, be exactly ascertained. . . . The penalty under which any American subject enlists in his majesty's service, is no less than the immediate forfeiture of all his goods and chattels, lands

and tenements; and if apprehended [captured], and convicted by the rebels of having enlisted, or prevailed on any other person to enlist in his majesty's service, it is considered as treason, and punished with death. . . . Yet, notwithstanding all these discouraging circumstances, there are *many more men in his majesty's provincial regiments than there are in the Continental service.* Hence it cannot be doubted but that there are more loyalists in America than there are rebels; and also that their zeal must be greater, or so many would not have enlisted into the provincial service under such very unequal circumstances. . . . We also infer from the small number of militia collected by General Greene, the most popular and able general in the service of congress, in the long circuitous march he took through many of the most populous, and *confessedly the most rebellious counties* in that country, that there must be a *vast majority of loyalists* in that part of America, as well as elsewhere. . . .[1]

Relying with the fullest confidence upon national justice and compassion to our fidelity and distresses, we can entertain no doubts but that Great Britain will prevent the ruin of her American friends, at every risk short of certain destruction to herself. But if compelled, by adversity of misfortune, from the wicked and perfidious combinations and designs of numerous and powerful enemies abroad, and more criminal and dangerous enemies at home, an idea should be formed by Great Britain of relinquishing her American colonies to the usurpation of congress, we thus solemnly call God to witness, that we think the colonies can never be so happy or so free as in a constitutional connexion with, and dependence on Great Britain; convinced, as we are, that to be a British subject, with all its consequences, is to be the happiest and freest member of any civil society in the known world.

[1] The last royal governor of New York, James Robertson, in his proclamation of April 15, 1780, spoke of "the ingenuous thousands of America" who were faithful to the King; and of "the Few" rebels who had "found Means to acquire Sway in the Management of your affairs." "Can they want Evidence at this day," he continues, "of the Detestation of their Measures, by an increasing Majority of their own Countrymen?" E. B. O'Callaghan, Documentary History of New York, Vol. IV, p. 1086.

While it is certain that the number of the Loyalists was exaggerated in their own eyes and in those of the British officers, nevertheless the very violence of the denunciations of them by the Revolutionists from Washington himself down to the pettiest patriot scribe shows that they were a real danger. Had they been only a tiny harmless minority, like the northern opponents of the Civil War in 1861, for example, or the denouncers of the Philippine War in 1899, they probably would have been treated with contemptuous neglect or good-natured ridicule by the patriots, in spite of the zeal of the Sons of Liberty. The following article from the *Pennsylvania Packet* of August 5, 1779, illustrates the patriot's animus:

Among the many errors America has been guilty of during her contest with Great Britain, few have been greater, or attended with more fatal consequences to these States, than her lenity to the Tories. . . . We can no longer be silent on this subject, and see the independence of the country, after standing every shock from without, endangered by internal enemies. Rouse, America! your danger is great—great from a quarter where you least expect it. The Tories, the Tories will yet be the ruin of you! 'Tis high time they were separated from among you. They are now busy engaged in undermining your liberties. They have a thousand ways of doing it, and they make use of them all. Who were the occasion of this war? The Tories! Who persuaded the tyrant of Britain to prosecute it in a manner before unknown to civilized nations, and even shocking to barbarians? The Tories! . . . Who corrupt the minds of the good people of these States by every species of insidious counsel? The Tories! Who hold a traitorous correspondence with the enemy? The Tories! . . . Who prevent your battalions from being filled? The Tories! . . . Who persuade those who have enlisted to desert? The Tories! . . . In short, who wish to see us conquered, to see us Slaves, to see us hewers of wood and drawers of water? The Tories.

And is it possible that we should suffer men, who have been guilty of all these and a thousand other calamities which this country has experienced, to live among us! To live among us, did I say? Nay, do they not move in our assemblies? Do they not insult us with their impudence? Do they not hold traitorous assemblies of their own? Do they not walk the streets at noonday, and taste the air of liberty?

Believe not a spark of . . . virtue is to be found in the Tory's breast; for what principle can that wretch have who would sell his soul to subject his country to the will of the greatest tyrant the world at present produces? 'Tis time to rid ourselves of these bosom vipers. An immediate separation is necessary. I dread to think of the evils every moment is big with, while a single Tory remains among us. . . . Awake, Americans, to a sense of your danger. No time to be lost. Instantly banish every Tory from among you. Let America be sacred alone to freemen.

Drive far from you every baneful wretch who wishes to see you fettered with the chains of tyranny. Send them where they may enjoy their beloved slavery to perfection — send them to the island of Britain; there let them drink the cup of slavery and eat the bread of bitterness all the days of their existence — there let them drag out a painful life, despised and accursed by those very men whose cause they have had the wickedness to espouse. Never let them return to this happy land — never let them taste the sweets of that independence which they strove to prevent. Banishment, perpetual banishment, should be their lot.

First among the Tory satirists, both in the power and in the venom of his pen, was Jonathan Odell, a graduate of Princeton College in 1754, surgeon in the British army in the West Indies, then rector in the Anglican Church in the province of New Jersey. Up to the last battle of the Revolution, and while there was a British soldier left in America, Odell maintained his confidence that the "rebellion" would be crushed. When America won the fight, Odell retired to Nova Scotia, where he lived in poverty,

an "unreconstructed" Loyalist to the end of his long life. We print here his ode on the birthday of King George, June 4, 1777, and his denunciation of Washington in *The American Times*, 1779:

Time was when America hallow'd the morn
On which the loved monarch of Britain was born
Hallow'd the day, and joyfully chanted
God save the King!

Then flourished the blessings of freedom and peace,
And plenty flow'd in with a yearly increase;
Proud of our lot, we chanted merrily
Glory and joy crown the King!

With envy beheld by the nations around,
We rapidly grew, nor was anything found
Able to check our growth while we chanted
God save the King!

O blest beyond measure, had honor and truth
Still nurs'd in our hearts what they planted in youth!
Loyalty still had chanted merrily
Glory and joy crown the King!

But see! how rebellion has lifted her head!
How honor and truth are with loyalty fled!
Few are there now who join us in chanting
God save the King!

And see how deluded the multitude fly
To arm in a cause that is built on a lye!
Yet we are proud to chant thus merrily
Glory and joy crown the King!

Though faction by falsehood a while may prevail,
And loyalty suffers a captive in jail,
Britain is rouzed, rebellion is falling;
God save the King!

The captive shall soon be releas'd from his chain;
And conquest restore us to Britain again
Ever to join in chanting merrily
Glory and joy crown the King!

Hear thy indictment, Washington, at large;
Attend and listen to the solemn charge:
Thou hast supported an atrocious cause
Against thy king, thy country, and the laws
Committed perjury, encouraged lies,
Forced conscience, broken the most sacred ties;
Myriads of wives and fathers at thy hand
Their slaughtered husbands, slaughtered sons demand. . . .

What could, when halfway up the hill to fame
Induce thee to go back and link with shame?
Was it ambition, vanity or spite
That prompted thee with Congress to unite?
Or did all three within thy bosom roll,
'Thou heart of hero with a traitor's soul'?
Go, wretched author of thy country's grief,
Patron of villainy, of villains chief;
Seek with thy cursed crew the central gloom,
Ere Truth's avenging sword begin thy doom;
Or sudden vengeance of celestial dart
Precipitate thee with augmented smart.

PART III. THE NEW REPUBLIC

PART III. THE NEW REPUBLIC

CHAPTER VI

THE CONSTITUTION

The Critical Period

40. The new nation on trial

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The entrance of the United States into the family of nations was a critical step. The acknowledgment of our independence by Great Britain provoked, rather than settled, the most important questions. It remained to be seen, as Washington said, whether the Revolution should prove a blessing or a curse to America. There were enthusiastic voices raised to proclaim the event as the opening of a new era in the history of the world, and there were dire prophecies of anarchy and destruction. The Reverend Richard Price of London, who had followed our cause with sympathy, wrote the following optimistic admonition in 1785:

> Having, from pure conviction, taken a warm part in favor of the *British* colonies (now the United States of America) during the late war; and been exposed, in consequence of this, to *much* abuse and *some* danger; it must be supposed that I have been waiting for the issue with anxiety — I am thankful that my anxiety is removed; and that I have been spared to be a witness to that very issue of the war which has all along been the object of my wishes. With heartfelt satisfaction, I see the revolution in favor of universal liberty which has taken place in *America*; — a revolution which opens a new prospect in human affairs, and begins a new era in the history of mankind; — a revolution by which *Britons* themselves will be the greatest gainers, if wise enough to improve properly the check that has been given to the despotism of their ministers, and to catch

the flame of virtuous liberty which has saved their American bretheren. . . .

Perhaps I do not go too far when I say that, next to the introduction of Christianity among mankind, the American revolution may prove the most important step in the progressive course of human improvement. It is an event which may produce a general diffusion of the principles of humanity, and become the means of setting free mankind from the shackles of superstition and tyranny, by leading them to see and know "that nothing is *fundamental* but impartial enquiry, an honest mind, and virtuous practice . . . that the members of a civil community are *confederates*, not *subjects*; and their rulers, *servants*, not *masters*. — And that all legitimate government consists in the dominion of equal laws made with common consent." . . .

Happy will the world be when these truths shall be everywhere acknowledged and practised upon. . . . It is a conviction I cannot resist, that the independence of the *English* colonies in America is one of the steps ordained by Providence to introduce these times; and I can scarcely be deceived in this conviction, if the United States should escape some dangers which threaten them, and will take proper care to throw themselves open to future improvements, and to make the most of the advantages of their present situation. . . . They have begun nobly. They have fought with success for themselves and for the world; and in the midst of invasion and carnage, established forms of government favorable in the highest degree to the rights of mankind. — But they have much more to do. . . .

The present moment, however auspicious to the United States if wisely improved, is critical; and, though apparently the end of all their dangers, may prove the time of their greatest danger. . . . Should the return of peace and the pride of independence lead them to security and dissipation — Should they lose those virtuous and simple manners by which alone Republics can long subsist — Should false refinement, luxury, and irreligion spread among them; excessive jealousy distract their governments; and clashing interests, subject to no strong controul, break the federal union — The consequence will be, that the fairest experiment ever tried in human affairs will miscarry; and that a

REVOLUTION which had revived the hopes of good men and promised an opening to better times, will become a discouragement to all future efforts in favour of liberty, and prove only an opening to a new scene of human degeneracy and misery.

Another English divine, Josiah Tucker, Dean of Gloucester, in 1781 addressed to the distinguished Necker, ex-controller general of the finances of France, a series of letters entitled *Cui Bono?* or an Inquiry as to the benefit that could arise to America, or to any other nation, from the war. Tucker sees only anarchy and ruin ahead for the presumptuous new nation. In his sixth letter he writes:

England being thus laid low, and humbled to the Dust, and the *American* stripes interlaced with the Lillies of *France*, everywhere triumphant; what is next to come to pass?—Why truly, after this TOTAL SEPARATION, the Mass of the People on the other side of the *Atlantic*, will begin to awake out of their Golden Dream, and reflect on their present Situation, by comparing it with the past. They will do this the sooner, because all their Fears and Dreads about that fell Monster, the tyrannical Power of *England*, will then be at an End; and the Hobgobling Stories of Racks and Chains, and Tortures, and Deaths, and raw Heads, and bloody Bones, will affright no longer. . . .

Great indeed, and glorious were the things that had been promised! They were to be the happiest of all People, provided they would shake off the galling *Yoke* of *Britain*, and assert their unalienable Birthrights, their *native Independence.* When that happy Day should come, all Grievances, and all Complaints would cease forever . . . all Jealousies, and Discords, and Factions, would be banished from such a State; and Harmony and Concord, Peace and Friendship, everywhere prevail.—These honors and blessings were reserved for *America*!

WELL, the heavy Yoke of *Britain* being thus thrown off [Oh may *Britons* have the Wisdom, and the Fortitude never to yoke with the *Americans* again as Fellow-Subjects, on any Terms

whatever] it is natural to ask, What have these Revolters gained by their long-wished-for Change, after so much Parade and Bluster? They have gained, what necessarily follows the Breach of Promises never intended to be fulfilled (if indeed such Acquisitions can be called GAINS) they have gained a general Disappointment, mixt with Anger and Indignation. For now they find that all the fine Speeches, and alluring Promises of their patriotic Leaders, meant nothing at all — but to amuse and to deceive. Now they feel that the little Fingers of their new-fangled Republican Governors are heavier than the whole Body of the limited and mild Constitution of *Old England*. And as they despised and rejected [like the Frogs in the Fable] the Government of one King *Log*, they are now obliged to submit to the Tyranny of an hundred King Storks. . . .

As to the future Grandeur of *America*, and its being a rising Empire, under *one Head*, whether Republican, or Monarchical, it is one of the idlest, and most visionary Notions, that ever was conceived even by Writers of Romance. For there is nothing in the Genius of the People, the Situation of their Country, or the Nature of their different Climates, which tends to Countenance such a Supposition. On the contrary, every Prognostic that can be formed from a Contemplation of their mutual Antipathies, and clashing Interests, their Difference of Governments, Habitudes, and Manners, — plainly indicates, that the *Americans* will have *no Center of Union* among them, and no *Common Interest* to pursue, when the Power and Government of *England* are finally removed. Moreover, when the Intersections and Divisions of their Country by great Bays of the Sea, and by vast Rivers, Lakes, and Ridges of Mountains; — and above all, when those immense inland Regions, beyond the Back Settlements, which are still unexplored, are taken into the Account, they form the highest Probability that the *Americans* never can be united into one compact Empire, under any Species of Government whatever. Their Fate seems to be, — A DISUNITED PEOPLE, till the End of Time.

A saner view of the promise and the danger in the new situation of America was taken by Tench Coxe of

Philadelphia, a distinguished writer of financial and commercial pamphlets. On May 11, 1787 (exactly two weeks before the Constitutional Convention began its work with George Washington in the chair), Coxe read a paper before the Society for Political Enquiries, at a meeting at Benjamin Franklin's house.

There are in every country certain important crises when exertion or neglect must produce consequences of the utmost moment. The period at which the inhabitants of these states have now arrived, will be admitted, by every attentive and serious person, to be clearly of this description. Our money absorbed by a wanton consumption of imported luxuries, a fluctuating paper medium . . . foreign commerce extremely circumscribed, and a federal government not only ineffective, but disjointed, tell us indeed too plainly, that further negligence may ruin us forever. . . .

The foundations of national wealth and consequence are so firmly laid in the United States, that no *foreign* power can undermine or destroy them. But the enjoyment of these substantial blessings is rendered precarious by domestic circumstances. Scarcely held together by a weak and half formed federal constitution, the powers of our national government, are unequal to the complete execution of any salutory purpose, foreign or domestic. The evils resulting from this unhappy state of things have again shocked our reviving credit, produced among our people alarming instances of disobedience to the laws,[1] and if not remedied, must destroy our property, liberties, and peace. Foreign powers, however disposed to favor us, can expect neither satisfaction nor benefit from treaties with Congress, while they [Congress] are unable to enforce them.[2] . . .

[1] For examples of this state of anarchy, see Muzzey, An American History, p. 164.

[2] When our first minister to England, John Adams, attempted to treat with the foreign Secretary, Lord Carmarthen, he was met with the ironical request for *thirteen* ministers from the American States. See Channing, History of the United States, Vol. III, p. 465.

It would not be difficult perhaps to form a new article of Confederation[1] . . . and a question may arise whether fellowship with any state that would refuse to admit it, can be satisfactory or safe. . . . The present state of things instead of inviting emigrants, deters all who have the means of information, and are capable of thinking. The settlement of our lands, and the introduction of manufactories and branches of trade yet unknown among us or requiring a force of capital, which are to make our country rich and powerful, are interrupted and suspended by our want of public credit and the numerous disorders of our government.

41. Hamilton's plea for an adequate constitution, September 3, 1780

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"The Articles of Confederation," says Channing, "were obsolete when signed by the members of Congress, and antiquated when the Maryland delegates gave the consent of that state to their ratification."[2] To the wonderful genius of Alexander Hamilton we owe the most convincing account of the inadequacy of the Articles and the first clear call for a convention to frame a suitable Constitution for the United States. On September 3, 1780, *six months before the Articles of Confederation went into effect even,* Hamilton, then a young man of only twenty-three, wrote to James Duane, a member of Congress from New York:

Liberty Pole, September 3, 1780

Dear Sir:

Agreeably to your request, and my promise, I sit down to give you my ideas of the defects of our present system, and the changes necessary to save us from ruin. They may, perhaps, be the reveries of a projector, rather than the sober views of a politician. You will judge of them, and make what use you please of them.

The fundamental defect is a want of power in Congress. It is hardly worth while to show in what this consists, as it seems

[1] Four months after Coxe read this paper the "new article of Confederation," the Constitution of the United States, was finished.

[2] Channing, History of the United States, Vol. III, p. 463.

to be universally acknowledged; or to point out how it has happened, as the only question is how to remedy it. It may, however, be said, that it has originated from three causes: an excess of the spirit of liberty, which has made the particular States show a jealousy of all power not in their own hands,—and this jealousy has led them to exercise a right of judging in the last resort of the measures recommended by Congress, and of acting according to their own opinions of their propriety, or necessity; a diffidence, in Congress, of their own powers, by which they have been timid and indecisive in their resolutions, constantly making concessions to the States, till they have scarcely left themselves the shadow of power; a want of sufficient means at their disposal to answer the public exigencies, and of vigor to draw forth those means, which have occasioned them to depend on the States individually to fulfil their engagements. . . .

It may be pleaded that Congress never had any definite powers granted them, and of course could exercise none, could do nothing more than recommend. The manner in which Congress was appointed would warrant, and the public good required that they should have considered themselves as vested with full power *to preserve the republic from harm.*[1] They have done many of the highest acts of sovereignty, which were always cheerfully submitted to: The declaration of independence, the declaration of war, the levying of an army, creating a navy, emitting money, making alliances with foreign powers, appointing a dictator,[2] etc. All these implications of a complete sovereignty were never disputed, and ought to have been a standard for the whole conduct of administration. . . .

But the Confederation itself is defective, and requires to be altered. It is neither fit for war nor peace. The idea of an uncontrollable sovereignty in each State over its internal police will

[1] The formula (*ne quid res publica detrimenti capiat*) by which the Roman Senate entrusted extraordinary powers to the consuls, or republican officers.

[2] The dictator in the Roman state superseded all the constituted powers of the Republic. It is a gross exaggeration to use this term of Washington, who was appointed commander of the continental army simply, and who was subject to the hampering control of Congress constantly.

defeat the other powers given to Congress, and make our union feeble and precarious. There are instances without number where acts, necessary for the general good, and which rise out of the powers given to Congress, must interfere with the internal police of the States; and there are as many instances in which the particular States, by arrangements of internal police, can effectually, though indirectly, counteract the arrangements of Congress. . . .

The first step must be to give Congress powers competent to the public exigencies. This may happen in two ways: one by resuming and exercising the discretionary powers I suppose to have been originally vested in them for the safety of the States . . . the other, by calling immediately a Convention of all the States, with full authority to conclude finally upon a General Confederation, stating to them beforehand, explicitly, the evils arising from a want of power in Congress. . . . The Convention should assemble the first of November next. The sooner the better. Our disorders are too violent to admit of a common or lingering remedy. The reasons for which I require them [the delegates] to be vested with plenipotentiary authority are that the business may suffer no delay in the execution, and may in reality, come to effect. A Convention may agree upon a Confederation; the States individually hardly ever will. . . .

The Confederation, in my opinion, should give Congress complete sovereignty, except as to that part of internal police which relates to the rights of property and life among individuals, and to raising money by internal taxes. . . . Congress should have complete sovereignty in all that relates to war, peace, trade, finance; and to the management of foreign affairs; the right of declaring war; of raising armies, officering, paying them, directing their motions in every respect; of equipping fleets, and doing the same with them; of building fortifications arsenals, magazines, etc.; of making peace on such conditions as they think proper; of regulating trade, determining with what countries it shall be carried on; . . . laying prohibitions on all the articles of export or import; imposing duties; . . . instituting Admiralty Courts etc.; of coining money; establishing banks on such terms, and with such privileges as they think proper;

appropriating funds, and doing whatever else relates to the operations of finance; transacting everything with foreign nations; making alliances offensive and defensive, treaties of commerce, etc., etc. . . . The Confederation should provide certain perpetual revenues, productive and easy of collection; a land tax, poll tax, or the like [1]; which, together with the duties on trade, and the unlocated lands, would give Congress a substantial existence, and a stable foundation for their schemes of finance.[2] . . .

The second step I would recommend is, that Congress should instantly appoint the following great officers of State: A Secretary of Foreign Affairs, a President of War, a President of Marine, a Financier, a President of Trade. . . . Congress should choose for these offices men of the first abilities, property, and character in the Continent, and such as have had the best opportunities of being acquainted with the several branches.[3] . . .

I have only skimmed the surface of the different subjects I have introduced. Should the plans recommended come into contemplation in earnest, I will endeavor to give them more form and particularity.[4] I am persuaded a solid confederation, a permanent army, and a reasonable prospect of subsisting it, would give us treble consideration in Europe, and produce a peace this winter. . . .

If a Convention is called, the minds of all the States and the people ought to be prepared to receive its determinations by

[1] The Income Tax of 1913 is the first of such "perpetual revenues" to be provided by the Congress of the United States.

[2] The student should compare these powers of Congress suggested by Hamilton in 1780 with those actually granted in the Constitution of 1787 (Art. I, Sect. VIII).

[3] This suggestion of Hamilton's foreshadowed the efficient executive department of the government, established by the Constitution. However, Hamilton's letter bore fruit before 1787; for executive officers were appointed by Congress — John Jay for Foreign Affairs, Robert Morris for Finance, and others. Let the student compare the number and titles of the executive officers suggested by Hamilton with those of our actual cabinet.

[4] The draught of Hamilton's plan for a constitution, drawn up in "form and particularity" in 1787 may be found in Max Farrand, Records of the Federal Convention, Vol. III, pp. 617–630.

sensible and popular writings, which should conform to the views of Congress. . . .

I have not time even to correct and copy, but only enough to add that I am, very truly and affectionately, dear sir,

Your most obedient servant,

A. Hamilton

"A More Perfect Union"

42. The constitutional convention, May to September, 1787 [167]

As a result of the commercial conventions held at Mount Vernon in 1785 and Annapolis in 1786, six states had already appointed delegates to a general convention for the thoroughgoing revision of the Articles of Confederation, when Congress issued the formal summons, February 21, 1787:[1]

Resolved, That in the opinion of Congress, it is expedient, that on the second Monday in May next, a convention of delegates, who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to Congress and the several legislatures, such alterations and provisions therein, as shall when agreed to in Congress, and confirmed by the states, render the federal constitution adequate to the exigencies of Government, and the preservation of the union.

[1] Six weeks before this resolution of Congress, John Jay, Secretary for Foreign Affairs, wrote to Washington: "Would it not be better for Congress plainly and in strong terms to declare that the present Federal Government is inadequate to the purpose for which it was instituted . . . that in their opinion it would be expedient for the people of the States without delay to appoint State conventions . . . with the sole and express power of appointing deputies to a general convention, who . . . should take into consideration the Articles of Confederation, and make such alterations, amendments, and additions thereto as to them should appear necessary and proper? . . . No alterations in the government should, I think, be made, nor if attempted will easily take place, unless deducible from the only source of just authority — *the People*." — John Jay, Correspondence etc., ed. H. P. Johnston, Vol. III, p. 229.

Major William Pierce, a delegate from Georgia, left pen pictures of most of his associates in the Convention, which were printed first in the *Savannah Georgian*, April, 1828. His characterizations of Washington, Hamilton, Franklin, and Madison follow:

Gen.l Washington is well known as the Commander in chief of the late American army. Having conducted these States to independence and peace, he now appears to assist in framing a Government to make the People happy. Like Gustavus Vasa, he may be said to be the deliverer of his Country; like Peter the great he appears as the politician and the States-man; and like Cincinnatus he returned to his farm perfectly contented with being only a plain Citizen, after enjoying the highest honor of the confederacy, — and now only seeks for the approbation of his Country-men by being virtuous and useful: The General was conducted to the Chair as President of the Convention by the unanimous vote of its Members. He is in the 52.d year of his age.

Col.° Hamilton is deservedly celebrated for his talents. He is a practitioner of the Law, and reputed to be a finished Scholar. To a clear and strong judgment he unites the ornaments of fancy, and whilst he is able, convincing, and engaging in his eloquence the Heart and Head sympathize in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory; — it is my opinion that he is rather a convincing Speaker, than a blazing Orator. Col.° Hamilton requires time to think, — he enquires into every part of his subject with the searchings of phylosophy, and when he comes forward he comes highly charged with interesting matter, there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on. — His language is not always equal, sometimes didactic like Bolingbroke's, at others light and tripping like Stern's. His eloquence is not so defusive [diffusive] as to trifle with the senses, but he rambles just enough to strike and keep up the attention. He is about 33 years old, of small stature, and lean. His manners

are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreable.

Dr Franklin is well known to be the greatest phylosopher of the present age; — all the operations of nature he seems to understand, — the very heavens obey him, and the Clouds yield up their Lightning to be imprisoned in his rod. But what claim he has to the politician, posterity must determine. It is certain that he does not shine much in public Council, — he is no Speaker, nor does he seem to let politics engage his attention. He is, however, a most extraordinary Man, and tells a story in a style more engaging than anything I ever heard. Let his Biographer finish his character. He is 82 years old, and possesses an activity of mind, equal to a youth of 25 years of age.

Mr. Maddison [Madison] is a character who has long been in public life; and what is very remarkable every Person seems to acknowledge his greatness. He blends together the profound politician, with the Scholar. In the management of every great question he evidently took the lead in the Convention, and tho' he cannot be called an Orator, he is a most agreable, eloquent, and convincing Speaker. From a spirit of industry and application, which he possesses in a most eminent degree, he always comes forward the best informed Man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any Man in the Union. He has been twice a Member of Congress, and was always thought one of the ablest Members that ever sat in that Council. Mr. Maddison is about 37 years of age, a Gentleman of great modesty, — with a remarkably sweet temper. He is easy and unreserved among his acquaintance, and has a most agreable style of conversation.

Passions often rose high during the stormy debates in the Convention, and it looked several times as though the assembly might break up in irreconcilable discord. The Constitution which resulted from its labors was not altogether acceptable to the leaders; but Franklin, with his rare good sense and quiet reasonableness, pleaded for harmony in the closing session.

September 17 [1787]. . . . The engrossed Constitution being read, — Dr FRANKLIN rose with a speech in his hand, which . . . Mr. Wilson read in the words following:

"Mr. President: — I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For, having lived long, I have experienced many instances of being obliged, by better information or fuller consideration, to change opinions, even on important subjects, which I once thought right, but found to be otherwise. It is therefore that, the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others. . . .

In these sentiments, Sir, I agree to this Constitution, with all its faults, if they are such; because I think a general government necessary for us, and there is no form of government, but what may be a blessing to the people if well administered. . . . I doubt, too, whether any other Convention we can obtain may be able to make a better Constitution. For, when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected? It therefore astonishes me, sir, to find this system approaching so near to perfection as it does; and I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded, like those of the builders of Babel; and that our states are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats. Thus I consent, sir, to this Constitution, because I expect no better, and because I am not sure that it is not the best. The opinions I have had of its errors I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born, and here they shall die. If every one of us, in returning to our constituents, were to report the objections he has had to it, and endeavor to gain partisans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects and great advantages resulting naturally in our favor among foreign nations, as well

as among ourselves, from our real or apparent unanimity. Much of the strength and efficiency of any government, in procuring and securing happiness to the people, depends on opinion — on the general opinion of the goodness of the government, as well as of the wisdom and integrity of its governors. I hope, therefore, that for our own sakes, as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution (if approved by Congress and confirmed by the conventions) wherever our influence may extend, and turn our future thoughts and endeavors to the means of having it well administered.

On the whole, Sir, I cannot help expressing a wish that every member of the Convention, who may still have objections to it, would with me, on this occasion, doubt a little of his own infallibility, and, to make manifest our unanimity, put his name to this instrument." . . .

Whilst the last members were signing, Dr FRANKLIN, looking towards the president's chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that painters had found it difficult to distinguish, in their art, a rising from a setting sun. "I have," he said, "often and often, in the course of the session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the president, without being able to tell whether it was rising or setting; but now, at length, I have the happiness to know that it is a rising, and not a setting sun."

The labors of the Convention being finished, its president sent the engrossed and signed copy of the Constitution to Congress with the following letter:

September 17, 1787

SIR:

We have now the honor to submit to the consideration of the United States, in Congress assembled, that Constitution which has appeared to us the most advisable. The friends of our country have long seen and desired that the power of making

war, peace, and treaties; that of levying money, and regulating commerce; and the correspondent executive and judicial authorities, — should be fully and effectually vested in the general government of the Union. . . .

It is obviously impracticable, in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. . . .

In all our deliberations on this subject, we kept steadily in our view, that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety — perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the Convention to be less rigid, on points of inferior magnitude, than might have been otherwise expected; and thus the Constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every state, is not perhaps to be expected; but each will doubtless consider that, had her interest alone been consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect, we have the honor to be, sir, your Excellency's most obedient and humble servants. By the unanimous order of the Convention.

G° WASHINGTON, *President*

His Excellency, the President of Congress

Only three of the delegates present at the closing session of the Convention refused to sign the Constitution — Elbridge Gerry of Massachusetts and Edmund Randolph

43. Mason's argument against ratification, 1788

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and George Mason of Virginia.[1] Mason led the fight against ratification in the Virginia Convention of 1788, supported by Patrick Henry (who had been elected to the Convention at Philadelphia, but had refused to serve), Richard Henry Lee, and James Monroe.[2] Mason published his apprehensive views to the citizens of Virginia under the title, "The Objections of the Hon. Geo. Mason to the proposed Fœderal Constitution."

There is no declaration of rights: and the laws of the general government being paramount to the laws and constitutions of the several states, the declarations of rights, in the separate states, are no security. . . .

The Senate have the power of altering all money-bills, and of originating appropriations of money, and the salaries of the officers of their appointment, in conjunction with the President of the United States — Although they are not the representatives of the people, or amenable to them. These, with their other great powers, (viz.: their powers in the appointment of ambassadors, and all public officers, in making treaties, and in trying all impeachments) their influence upon, and connection with, the supreme executive from these causes, their duration of office, and their being a constant existing body, almost continually

[1] Of the 65 members elected to the Constitutional Convention, 55 attended. Of these 39 signed the Constitution. Three refused to sign, and 13 were absent from the closing session. Of the absentees only four (Lansing and Yates of New York and Mercer and Martin of Maryland) were hostile to the Constitution.

[2] About a fortnight after Virginia ratified, Monroe wrote to Thomas Jefferson, who was our minister in Paris, declaring that Washington's influence had carried the state for ratification, and that a certain letter of Jefferson's on the subject had been discussed with great regard for the author. Jefferson would probably have opposed the Constitution as too aristocratic, had he been at home to take part in the events of 1787–1788; although on the eve of his departure for Paris (July 1, 1784) he had written to Madison from Boston: "I find the conviction growing strongly that nothing can preserve our confederacy unless the band of union, their common council, be strengthened" (Works, ed. Ford, Vol. III, p. 502).

sitting, joined with their being one complete branch of the legislature, will destroy any balance in the government, and enable them to accomplish what usurpation they please, upon the rights and liberties of the people.

The judiciary of the United States is so constructed and extended, as to absorb and destroy the judiciaries of the several states; thereby rendering laws as tedious, intricate, and expensive, and justice as unattainable by a great part of the community, as in England; and enabling the rich to oppress and ruin the poor.

The President of the United States has no constitutional council (a thing unknown in any safe and regular government) he will therefore be unsupported by proper information and advice; and will generally be directed by minions and favorites — or he will become a tool to the Senate — or a council of state will grow out of the principal officers of the great departments — the worst and most dangerous of all ingredients for such a council, in a free country; for they may be induced to join in any dangerous and oppressive measures, to shelter themselves, and prevent an inquiry into their own misconduct in office. . . .

The President of the United States has the unrestrained power of granting pardon for treason; which may be sometimes exercised to screen from punishment those whom he has secretly instigated to commit the crime, and thereby prevent a discovery of his own guilt. . . .

By requiring only a majority to make all commercial and navigation laws, the five southern states (whose product and circumstances are totally different from those of the eight northern and eastern states) will be ruined: for such rigid and premature regulations may be made, as will enable the merchants of the northern and eastern states not only to demand an exorbitant freight, but to monopolize the purchase of the commodities, at their own price, for many years, to the great injury of the landed interest, and the impoverishment of the people. . . .

The state legislatures are restrained from laying export duties on their own produce — the general legislature is restrained from prohibiting the further importation of slaves for twenty odd years, though such importations render the United States weaker, more vulnerable, and less capable of defence. . . .

This government will commence in a moderate aristocracy; it is at present impossible to foresee whether it will, in its operation, produce a monarchy, or a corrupt oppressive aristocracy; it will most probably vibrate some years between the two, and then terminate in the one or the other.

44. Jefferson's plan for the government of the West, 1784

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Of almost equal importance with the Declaration of Independence and the Constitution was the Ordinance of 1787, which furnished the model for the government of territories of the United States.[1] This Ordinance was based on the following plan of Thomas Jefferson's, which was substantially adopted by Congress, except for the antislavery clause (No. 5, p. 181), on April 23, 1784:

[March 22, 1784]

The Committee to whom was recommitted the report of a plan for a temporary government of the Western territory have agreed to the following resolutions.

Resolved, that so much of the territory ceded or to be ceded by individual states to the United States as is already purchased or shall be purchased of the Indian inhabitants & offered for sale by Congress, shall be divided into distinct states in the following manner . . . [by degrees of latitude and meridians of longitude]

That the settlers on any territory so purchased & offered for sale shall, either on their own petition, or on the order of Congress, receive authority from them [Congress] . . . to adopt the constitution and laws of any one of the original states, so that such laws nevertheless shall be subject to alteration by their ordinary legislature; & to erect, subject to a like alteration, counties or townships for the election of members for their legislature.

That such temporary government shall only continue in force in any state until it shall have acquired 20,000 free inhabitants,

[1] The Ordinance of 1787, or "Northwest Ordinance," may be found in William Macdonald, Select Documents of United States History, 1776–1861, pp. 21–29. The student should compare the Ordinance with Jefferson's plan.

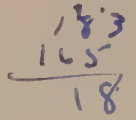
when giving due proof thereof to Congress, they shall receive from them [Congress] authority with appointment of time & place to call a convention of representatives to establish a permanent Constitution and Government for themselves. Provided that both the temporary and the permanent governments be established on these principles as their basis. 1. That they shall forever remain a part of this confederacy of the United States of America. 2. That in their persons, property & territory they shall be subject to the Government of the United States in Congress assembled, & to the articles of Confederation in all those cases in which the original states shall be so subject. 3. That they shall be subject to pay a part of the federal debts contracted or to be contracted, to be apportioned on them by Congress; according to the same common rule and measure, by which apportionments thereof shall be made on the other states. 4. That their respective Governments shall be in republican forms and shall admit no person to be a citizen who holds any hereditary title. 5. That after the year 1800 of the Christian aera, there shall be neither slavery nor involuntary servitude in any of the sd [said] states, otherwise than in punishment of crimes whereof the party shall have been convicted to have been personally guilty.

That whensoever any of the sd states shall have, of free inhabitants, as many as shall then be in any one of the least numerous, of the thirteen original states, such state shall be admitted by it's delegates into the Congress of the United States on an equal footing with the said original states; provided nine states agree to such admission. . . . Until such admission by their delegates into Congress, any of the said states after the establishment of their temporary government shall have authority to keep a sitting member in Congress, with a right of debating, but not of voting.

That the preceding articles shall be formed into a charter of compact, shall be duly executed by the President of the United States in Congress assembled, under his hand & the seal of the United States, shall be promulgated & shall stand as fundamental constitutions between the thirteen original states and each of the several states now newly described, unalterable but

by the joint consent of the United States in Congress assembled, & of the particular state within which such alteration is proposed to be made.

That measures not inconsistent with the principles of the Confed^{n} & necessary for the preservation of peace & good ordér among the settlers in any of the said new states until they shall assume a temporary government as aforesaid, may from time to time be taken by the U. S. in C. assemble^{d}.



CHAPTER VII

FEDERALISTS AND REPUBLICANS

Launching the Government

Great interest was shown in the new republic of the United States by the people of Europe. We have preserved about forty books by French, English, German, and Italian travelers in this country between the Revolutionary War and the end of the eighteenth century. At the close of the war the venerable Benjamin Franklin, who from his long residence on both sides of the Atlantic was better qualified than any other man living to give advice on America to European emigrants, wrote a tract called "Information to those who would remove to America."

45. America the land of opportunity

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Many Persons in Europe, having directly or by Letters, express'd to the Writer of this, who is well acquainted with North America, their Desire of transporting and establishing themselves in that Country; but who appear to have formed thro' Ignorance, mistaken Ideas and Expectations of what is to be obtained there; he thinks it may be useful, and prevent inconvenient, expensive, and fruitless Removals and Voyages of improper Persons, if he gives some clearer and truer Notions of that part of the World, than appear to have hitherto prevailed.

He finds it is imagined by Numbers, that the Inhabitants of North America are rich, capable of rewarding and disposed to reward, all sorts of Ingenuity; that they are at the same time ignorant of all the Sciences, and, consequently, that Strangers possessing Talents in the Belles-Lettres, fine Arts, &c., must be highly esteemed, and so well paid as to become easily rich

themselves; that there are also abundance of profitable Offices to be disposed of, which the Natives are not qualified to fill; . . . that the Governments too, to encourage Emigration from Europe, not only pay the Expence of personal Transportation, but give Lands *gratis* to Strangers, with Negroes to work for them, Utensils of Husbandry, and Stocks of Cattle. These are all wild Imaginations; and those who go to America with Expectations founded upon them will surely find themselves disappointed.

The Truth is, that though there are in that Country few people so miserable as the poor of Europe, there are also very few that in Europe would be called rich; it is rather a general happy Mediocrity that prevails. There are few great Proprietors of the Soil, and few Tenants; most people cultivate their own Lands, or follow some Handicraft or Merchandise. . . . Letters and Mathematical knowledge are in Esteem there . . . there being already existing nine Colleges or Universities, viz.: four in New England, and one in each of the Provinces of New York, New Jersey, Pensilvania, Maryland, and Virginia, all furnish'd with learned Professors; besides a number of smaller Academies. . . . Of civil Offices, or Employments, there are few; no superfluous Ones, as in Europe; and it is a Rule established in some of the States, that no Office should be so profitable as to make it desirable. . . . It cannot be worth any Man's while, who has a means of Living at home, to expatriate himself, in hopes of obtaining a profitable Civil Office in America.

Much less is it advisable for a Person to go thither, who has no other Quality to recommend him but his Birth. In Europe it has indeed its Value; but it is a Commodity that cannot be carried to a worse Market than that of America, where people do not inquire concerning a Stranger, *What is he?* but, *What can he do?* . . . The Husbandman is in honor there, and even the Mechanic, because their Employments are useful. The People have a saying, that God Almighty is himself a Mechanic, the greatest in the Universe; and he is respected and admired more for the Variety, Ingenuity, and Utility of his Handyworks, than for the Antiquity of his Family. . . . In short, America is the Land of Labour, and by no means what the English call

Lubberland, and the French *Pays de Cocagne*,[1] where the streets are said to be pav'd with half-peck Loaves, the Houses til'd with Pancakes, and where the Fowls fly about ready roasted, crying, *Come eat me!*

Land being cheap in that Country, from the vast Forests still void of Inhabitants . . . so that the Propriety of an hundred Acres of fertile Soil full of Wood may be obtained near the Frontiers, in many Places, for Eight or Ten Guineas, hearty young Laboring Men, who understand the Husbandry of Corn and Cattle . . . may easily establish themselves there. A little Money sav'd of the good Wages they receive there, while they work for others, enables them to buy Land and begin their Plantation. . . . Multitudes of poor people from England, Ireland, Scotland, and Germany, have by this means in a few years become wealthy Farmers. . . .

In the long-settled Countries of Europe, all Arts, Trades, Professions, Farms, etc., are so full, that it is difficult for a poor Man, who has Children, to place them where they may gain, or learn to gain, a decent Livelihood. . . . Hence Youth are dragg'd up in Ignorance of every gainful Art, and oblig'd to become Soldiers, or Servants, or Thieves for a Subsistance. In America . . . it is easy for poor Families to get their Children instructed; for the Artisans are so desirous of Apprentices, that many of them will even give money to the Parents, to have Boys from Ten to Fifteen Years of Age bound Apprentices to them till the Age of Twenty-one. . . .

Industry and constant Employment are great Preservatives of the Morals and Virtue of a Nation. Hence bad Examples to Youth are more rare in America, which must be a comfortable Consideration to Parents. . . . Atheism is unknown there; Infidelity rare and secret; so that persons may live to a great Age in that Country without having their Piety shocked by meeting with either an Atheist or an Infidel. And the Divine Being seems to have manifested his Approbation of the mutual Forbearance and Kindness with which the different Sects treat each other, by the remarkable Prosperity with which He has been pleased to favor the whole Country.

[1] "Land of abundance."

In October, 1787, immediately after the completion of the Constitution, Congress was induced by land speculators to offer for sale 5,000,000 acres (almost 8000 square miles) of rich land in the Ohio valley, at $66\frac{2}{3}$ cents per acre. The Ohio Company purchased 1,500,000 acres, and within a month had a party of forty-seven colonists ready to send to the new lands. Professor McMaster thus describes the exciting days of the migration:

Emigration to the West now became the rage of the time. Every small farmer whose barren acres were covered with mortgages, whose debts pressed heavily upon him, or whose roving spirit gave him no peace, was eager to sell his homestead for what it would bring, save what he could from the general wreck, and begin life anew on the banks of the Muskingum or the Ohio. And so many did so that at the return of every spring hundreds of boats went down the Ohio heavy with cattle and household goods. One observer at Fort Pitt wrote home that between the first of March and the middle of April 1787, he saw fifty flat-boats set off for the settlements. Another at Fort Finney saw thirty-four boats pass in thirty-nine days. . . . Another safe authority estimated that no less than ten thousand emigrants went by Marietta in 1788. . . . In New England the success of the Ohio Company in procuring emigrants was immense. They advertised, they put out pamphlets assuring the people that a man of push and courage could nowhere be so prosperous and so happy as in the West. The climate was delightful. Rain was abundant. The soil rich and watered by broad rivers, along whose banks were great bottoms and natural meadows from twenty to fifty miles in circuit. . . . In no long time, therefore, the Company's lumbering wagon, with its black canvas cover and flaming inscription, "To Marietta on the Ohio," became a familiar sight. At first the departure of so many men from the States was little heeded, for they were believed to be broken-down farmers and Shayites going to retrieve their fortunes and their honor in the West. But when it was noticed that behind the wagon rode numbers of most robust and

promising youths, the alarm of the people broke forth in bitter complaints. The scheme was denounced in the coffee-houses as a wicked plot to drain the East of its best blood. The opponents of the company put out a number of pamphlets against it, and wrote much bad verse on Cutler [the organizer of the Ohio Company]. The poor fools, it was said, were being enticed from comfortable homes under the promise that they were going to a land of more than tropical richness; to a land where they should reap without having sown, and gather without having ploughed. But in truth the climate was cold, the land sterile and sickly, and the woods full of Indians, panthers, and hoop-snakes.[1]

The Duke of Rochefoucauld-Liancourt, one of our French visitors in 1795–1797, gives the following account of how a plucky Englishwoman, Mistress Dash, took advantage of the opportunities offered by America to begin life over again.

In one of our boating trips about Northumberland, with Priestly's son, we landed near a wooden house, set on the side of a huge mountain covered with woods and rocks, and separated from the river by sloping ground some dozen rods wide. This little house is inhabited by an Englishwoman. She has three daughters, of whom the youngest only, a girl of twenty, is with her. She left England after her husband went bankrupt, both to shun the disgrace of his failure . . . and to prepare a retreat for him after he should have settled his accounts. She is Mistress Dash, and her husband is a banker of Bath, and colonel of the militia of his County. . . .

It would be impossible for a mortal to show greater courage than this woman has shown since she bought this absolutely

[1] "I have a distinct recollection of a picture which I saw in boyhood prefixed to a penny anti-moving-to-Ohio pamphlet, in which a stout, ruddy, well-dressed man on a sleek, fat horse with a label, 'I am going to Ohio,' meets a pale and ghastly skeleton of a man, scarcely half dressed, on the wreck of what was once a horse, with a label, 'I have been to Ohio.'" — Walker. Transactions of Historical and Philosophical Society of Ohio, Part II, p. 194.

uncultivated piece of property of a hundred acres. Six months ago there was n't a hut on the place, or a single tree cut. She has conquered every obstacle; and at present she is building a stone house, in which she will be able, within a year, to offer her husband a comfortable retreat. . . . Two of her daughters have married since they came to America. . . .

This woman's experience has convinced me again of the great profit in the cultivation of new soil. Mistress Dash bought her hundred acres for two hundred and sixty five dollars. She has cultivated twenty acres . . . and spent, in the cultivation, in building house and stable, etc., a thousand and sixty five dollars. . . . Her twenty acres yield 400 bushels of grain, which is selling this year at ten shillings a bushel. . . . She has therefore realized in the first year, from only twenty acres of her property, 4000 shillings, or 533 dollars, — almost half her entire expense, counting the cost of the acquisition of the property.

46. The inauguration of the government, 1789

[186]

On April 30, 1789, George Washington took the oath of office as first president of the United States, and delivered a very formal speech to both houses of Congress, in which he protested his incapacity for the proper administration of the high office intrusted to him, begged his fellow countrymen's indulgence for his shortcomings, and expressed his conviction that "the preservation of the sacred fire of liberty and the destiny of the republican model of government" were "*deeply*, perhaps *finally* staked on the experiment intrusted to the hands of the American people." His secretary, Mr. Tobias Lear, describes the inauguration in his Diary:

April 30th — The morning was employed in making such arrangements as were necessary for the ceremonies of the day. At nine o'clock all the churches in the city were opened, and prayers offered up to the Great Ruler of the universe for the preservation of the President. At twelve the troops of the city paraded before our door, and, soon after, the committees of Congress and heads of departments came in their carriages to

wait upon the President to the Federal Hall. At half past twelve the procession moved forward, the troops marching in front with all the ensigns of military parade. Next came the committees and heads of departments in their carriages. Next the President in the state coach, and Colonel Humphreys and myself in the President's own carriage. The foreign ministers and a long train of citizens brought up the rear.

About two hundred yards before we reached the hall, we descended from our carriages, and passed through the troops, who were drawn up on each side, into the Hall and Senate-Chamber, where we found the Vice-President, the Senate, and the House of Representatives assembled. They received the President in the most respectful manner, and the Vice-President conducted him to a spacious and elevated seat at the head of the room. A solemn silence prevailed. The Vice-President soon arose and informed the President that all things were prepared to administer the oath whenever he should see fit to proceed to the balcony and receive it. He immediately descended from his seat, and advanced through the middle door of the Hall to the balcony. The others passed through the doors on each side. The oath was administered in public by Chancellor Livingston; and the moment the Chancellor proclaimed him President of the United States, the air was rent by repeated shouts and huzzas — *God bless our Washington! Long live our beloved President!* We again returned into the Hall, where, being seated as before for a few moments, the President arose and addressed the two branches of Congress in a speech, which was heard with eager and marked attention.

After the President had finished his speech, we proceeded from the Senate-chamber on foot to St. Paul's church, in the same order that we had observed in our carriages, where the bishop read prayers suited to the occasion. We were then met at the church door by our carriages, and we went home.

In the evening there was a display of most beautiful fire-works and transparent paintings at the Battery. The President, Colonel Humphreys, and myself went in the beginning of the evening in the carriages to Chancellor Livingston's and General Knox's, where we had a full view of the fire-works. We returned home

at ten on foot, the throng of people being so great as not to permit a carriage to pass through it.

In spite of the "repeated shouts and huzzas," there were many who thought that we were tending rapidly to an aristocratic despotism. William Maclay, Senator from Pennsylvania in the first Congress of the United States, has left us an acrimonious journal of the years 1789–1791, in which his sturdy republican principles and prejudices are expressed with unsparing frankness.

30th April, Thursday. — This is a great, important day. Goddess of etiquette, assist me while I describe it. . . . The Senate met. The Vice-President rose in the most solemn manner. This son of *Adam* seemed impressed with deeper gravity, yet what shall I think of him? He often in the midst of his most important airs . . . suffers an unmeaning kind of vacant laugh to escape him. This was the case today, and really to me bore the air of ridiculing the farce he was acting. "Gentlemen, I wish for the direction of the Senate. The President will, I suppose, address the Congress. How shall I behave? How shall we receive it? Shall it be standing or sitting?" . . .

As the company returned into the Senate chamber [after the oath], the President took the chair. . . . He rose and addressed them. This great man was agitated and embarrassed more than ever he was by the leveled cannon or pointed musket. He trembled, and several times could scarce make out to read. . . . When he came to the words *all the world*, he made a flourish with his right hand, which left rather an ungainly impression. I sincerely, for my part, wished all set ceremony in the hands of the dancing-masters, and that this first of men had read off his address in the plainest manner, without ever taking his eyes from the paper, for I felt hurt that he was not first in everything. He was dressed in a deep brown, with metal buttons, with an eagle on them, white stockings, a bag [for the hair], and sword. . . .

May 1st — Attended the Hall at eleven. The prayers were over and the minutes reading. When we came to the minute of the speech it stood, *His most gracious speech*. I looked all around

the Senate. Every countenance seemed to wear a blank. The Secretary was going on: I must speak or nobody would. "Mr. President, we have lately had a hard struggle for our liberty against kingly authority. The minds of men are still heated: everything related to that species of government is odious to the people. The words prefixed to the President's speech are the same that are usually placed before the speech of his Britannic Majesty. I know they will give offense. I consider them as improper. I therefore move that they be struck out, and that it stand simply address or speech, as may be judged most suitable." . . .

June 11th — Dined this day with Mrs. Morris. . . . She talked a great deal after dinner. . . . I have ever been attentive to discover, if possible, General Washington's private opinions on the pompous part of government. His address of "fellow-citizens" to the two Houses of Congress seems quite republican. Mrs. Morris, however, gave us something on this subject. General Washington, on a visit to her, *had declared himself in the most pointed manner for generous salaries; and added that without large salaries proper persons could never be got to fill the offices of government with propriety.* He might deliver something of this kind with propriety enough without using the word "large." However, if he lives with the pompous people of New York, he must be something more than human if their high-toned manners have not some effect on him. . . .

August 27th — Thursday. Senate adjourned early. At a little after four I called on Mr. Bassett, of the Delaware State. We went to the President's to dinner. . . . The President and Mrs. Washington sat opposite each other in the middle of the table; the two secretaries, one at each end. It was a great dinner, and the best of the kind I ever was at. The room, however, was disagreeably warm. First was the soup; fish roasted and boiled; meats, gammon, fowls etc. This was the dinner. . . . The desert was, first apple-pies, pudding etc.; then iced-creams, jellies, etc.; then water-melons, musk-melons, apples, peaches, nuts.

It was the most solemn dinner I ever sat at. Not a health drank; scarce a word said until the cloth was taken away. Then the President, filling a glass of wine, with great formality, drank

to the health of every individual by name round the table. Everybody imitated him, charged glasses, and such a buzz of "health, sir," and "health, madam," and "thank you, sir," and "thank you, madam," never had I heard before. . . . Mrs. Washington at last withdrew with the ladies.

I expected the men would now begin, but the same stillness remained. The President told of a New England clergyman who had lost a hat and wig in passing a river called the Brunks. He smiled, and everybody else laughed. He now and then said a sentence or two on some common subject, and what he said was not amiss. . . . There was a Mr. Smith who mentioned how *Homer* described *Æneas* leaving his wife and carrying his father out of flaming Troy . . . but if he had ever read it he would have said *Virgil*. The President kept a fork in his hand, when the cloth was taken away, I thought for the purpose of picking nuts. He ate no nuts, however, but played with the fork, striking on the edge of the table with it. We did not sit long after the ladies retired. The President rose, went up stairs to drink coffee; the company followed. I took my hat and came home.

47. Jefferson *versus* Hamilton, 1791–1792
[192]

When Thomas Jefferson returned from France to take up his duties as Secretary of State in Washington's cabinet (March, 1790), Alexander Hamilton was already well along in the development of his plans for strengthening the financial status of the government.[1] When Washington requested from his cabinet written opinions on the subject of the charter of a national bank, Jefferson submitted the following paper (February 15, 1791):

. . . I consider the foundation of the Constitution as laid on this ground: That "all powers not delegated to the United States, by the Constitution, nor prohibited by it to the States, are reserved to the States or to the people" [Amendment X]. To take a single step beyond the boundaries thus specially drawn around the powers of Congress, is to take possession of

[1] For Hamilton's measures see Muzzey, An American History, pp. 189–191.

a boundless field of power, no longer susceptible of any definition. The incorporation of a bank, and the powers assumed by this bill, have not, in my opinion, been delegated to the United States by the Constitution.

I. They are not among the powers specially enumerated: for these are: 1st A power to lay taxes for the purpose of paying the debts of the United States [Art. I, Sect. VIII]; but no debt is paid by this bill, nor any tax laid. Were it a bill to raise money, its origination in the Senate would condemn it by the Constitution [Art. I, Sect. VII].

2d. "To borrow money." But this bill neither borrows money nor ensures the borrowing of it. The proprietors of the bank will be just as free as any other money holders, to lend or not to lend their money to the public. The operation proposed in the bill, first to lend them two millions, and then to borrow them back again, cannot change the nature of the latter act, which will still be a payment, and not a loan, call it by what name you please.

3. "To regulate commerce with foreign nations, and among the States, and with the Indian tribes." To erect a bank, and to regulate commerce, are very different acts. He who erects a bank, creates a subject of commerce in its bills; so does he who makes a bushel of wheat, or digs a dollar out of the mines; yet neither of these persons regulates commerce thereby. To make a thing which may be bought and sold, is not to prescribe regulations for buying and selling. Accordingly, the bill does not propose the measure as a regulation of trade, but as "productive of considerable advantages to trade." Still less are these powers covered by any other of the special enumerations.

II. Nor are they within either of the general phrases, which are the two following:[1] —

1. To lay taxes to provide for the general welfare of the United States. That is to say, "to lay taxes for *the purpose* of providing for the general welfare." . . . They are not to lay

[1] The second of the "general phrases" is "to make all laws which shall be necessary and proper for carrying into execution" the enumerated powers. Jefferson argues on this point that the *convenience* the bank might be in the collection of taxes is not proof of either its *necessity* or its *propriety*.

taxes *ad libitum for any purpose they please*; but only *to pay the debts or provide for the welfare of the Union.* In like manner, they are not *to do anything they please* to provide for the general welfare, but only to *lay taxes* for that purpose. To consider the latter phrase, not as describing the purpose of the first, but as giving a distinct and independent power to do any act they please, which might be for the good of the Union, would render all the preceding and subsequent enumeration of power completely useless. It would reduce the whole instrument to a single phrase, that of instituting a Congress with power to do whatever would be for the good of the United States; and as they would be the sole judges of the good or evil, it would be also a power to do whatever evil they please.

It is an established rule of construction where a phrase will bear either of two meanings, to give it that which will allow some meaning to the other parts of the instrument, and not that which would render all the others useless. Certainly no such universal power was meant to be given them. It was intended to lace them up straitly within the enumerated powers, and those without which, as means, these powers could not be carried into effect. . . .

Hamilton carried Congress with him on the bank, funding, and tariff bills, in spite of the able opposition led by Jefferson. In the spring of 1792 he unbosomed himself to his friend Colonel Edward Carrington in a long letter, intended perhaps primarily to exhibit Jefferson to the people of his own state in his true light, and to explain to the Virginia Federalists why he had broken with Madison and attacked Jefferson.

Philadelphia, May 26, 1792

My dear Sir:

Believing that I possess a share of your personal friendship and confidence, and yielding to that which I feel toward you; persuaded also, that our political creed is the same on two essential points — first the necessity of Union to the respectability and happiness of this country, and second, the necessity of an

efficient general government to maintain the Union, I have concluded to unbosom myself to you on the present state of political parties and views. . . .

It was not till the last session that I became unequivocally convinced of the following truth: "that Mr. Madison, cooperating with Mr. Jefferson, is at the head of a faction decidedly hostile to me and my administration; and actuated by views, in my judgment, subversive of the principles of good government and dangerous to the Union, peace, and happiness of the country."

Mr. Jefferson, with very little reserve, manifests his dislike of the funding system generally . . . I do not mean that he advocates directly the undoing of what has been done, but he censures the whole on principles which, if they should become general, could not but end in the subversion of the system. In various conversations, with foreigners as well as citizens, he has thrown censure on my principles of government and on my measures of administration. He has predicted that the people would not long tolerate my proceedings. . . . Some of those whom he immediately and notoriously moves have even whispered suspicions of the rectitude of my motives and conduct. . . . When any turn of things in the community has threatened either odium or embarrassment to me, he has not been able to suppress the satisfaction which it gave him. . . .

I find strong confirmation in the following circumstances: Freneau, the present printer of the *National Gazette* . . . was a known Anti-federalist. It is reduced to a certainty that he was brought to Philadelphia by Mr. Jefferson to be the conductor of a newspaper. It is notorious that contemporarily with the commencement of his paper he was a clerk in the Department of State, for foreign languages. Hence a clear inference that his paper has been set on foot and is conducted under the patronage and not against the views of Mr. Jefferson. What then is the complexion of this paper? Let any impartial man peruse the numbers down to the present day, and I never was more mistaken if he does not pronounce that it is a paper devoted to the subversion of me and the measures in which I have an agency; and I am little less mistaken if he does not pronounce

that it is a paper of a tendency generally unfriendly to the government of the United States.[1] . . .

In almost all the questions, great and small, which have arisen since the first session of Congress, Mr. Jefferson and Mr. Madison have been found among those who are disposed to narrow the federal authority. . . . In respect to foreign politics, the views of these gentlemen are, in my judgment, equally [un]sound and dangerous. They have a womanish attachment to France and a womanish resentment against Great Britain. They would draw us into the closest embrace of the former, and involve us in all the consequences of her politics.[2] . . . This disposition goes to a length, particularly in Mr. Jefferson, of which, till lately, I had no idea. . . . If these gentlemen were left to pursue their own course, there would be, in less than six months, an open war between the United States and Great Britain. . . .

Mr. Jefferson, it is known, did not in the first instance cordially acquiesce in the new Constitution for the United States; he had many doubts and reserves. He left this country [1784] before we had experienced the imbecillities of the former [Constitution, i. e. the Articles of Confederation]. . . .

In France, he saw government only on the side of its abuses. He drank freely of the French philosophy, in religion, in science, in politics. He came from France in the moment of a fermentation which he had a share in exciting. . . . He came electrified with attachment to France, and with the project of knitting together the two countries in the closest political bands. . . .

Another circumstance has contributed to widening the breach [in American politics]. 'Tis evident beyond a question . . . that Mr. Jefferson aims with ardent desire at the Presidential chair. This too is an important object of the party-politics. . . .

[1] Specimens of the satirical and serious criticism of Washington's administration which appeared in the *National Gazette* are given by A. B. Hart in his American History told by Contemporaries, Vol. III, pp. 293 and 305.

[2] Hamilton wrote this letter about a month after France, by declaring war against Austria and Prussia, opened the quarter century of strife which convulsed Europe from Russia to Portugal.

A word on another point. I am told that serious apprehensions are disseminated in your State as to the existence of a monarchical party meditating the destruction of State and republican government. If it is possible that so absurd an idea can gain ground, it is necessary that it should be combatted. . . .[1] A very small number of men indeed may entertain theories less republican than Mr. Jefferson and Mr. Madison, but I am persuaded that there is not a man among them who would not regard as both criminal and visionary any attempt to subvert the republican system of the country. . . . As to the destruction of State governments, the great and real anxiety is to be able to preserve the national from the too potent and counteracting influence of those governments. As to my own political creed, I give it to you with the utmost sincerity. I am affectionately attached to the republican theory. I desire above all things to see the equality of political rights, exclusive of all hereditary distinction. . . .

The Reign of Federalism

48. The neutrality proclamation, April 22, 1793

When the news of war between the French Republic and Great Britain reached America, President Washington, in view of our close relations with France in the Revolutionary War and of the treaty of 1778, which bound us to an alliance with that nation (see No. 37, p. 143), submitted the following list of questions to each member of his cabinet, "preparatory," he writes, "to a meeting at my house tomorrow, where I shall expect to see you at 9 o'clock, and to receive the result of your reflections thereon." [194]

[1] Three days before Hamilton wrote this, Jefferson sent a letter to Washington, in which the following sentence occurs: "This has been brought about by the Monarchical federalists themselves, who having been for the new government merely as a stepping stone to monarchy," Jefferson, Writings, ed. P. L. Ford, Vol. VI, p. 5.

Philadelphia, 18 April, 1793

I. Shall a proclamation issue for the purpose of preventing interferences of the citizens of the United States in the war between France and Great Britain &c.? Shall it contain a declaration of neutrality or not? What shall it contain?

II. Shall a minister from the Republic of France be received?

III. If received, shall it be absolutely or with qualifications; and if with qualifications, of what kind?

IV. Are the United States obliged by good faith to consider the treaties heretofore made with France as applying to the present situation of the parties? May they either renounce them, or hold them suspended till the government of France shall be *established*?

V. If they have the right, is it expedient to do either, and which?

VI. If they have an option, would it be a breach of neutrality to consider the treaties still in operation?

VII. If the treaties are to be considered as now in operation, is the guarantee in the treaty of alliance applicable to a defensive war only, or to war either offensive or defensive?

VIII. Does the war in which France is engaged appear to be offensive or defensive on her part? Or of a mixed and equivocal character?

IX. If of a mixed and equivocal character, does the guarantee in any event apply to such a war?

X. What is the effect of a guarantee such as that to be found in the treaty of alliance between the United States and France?

XI. Does any article in either of the treaties prevent ships of war, other than privateers, of the powers opposed to France from coming into the ports of the United States to act as convoys to their own merchantmen?

XII. Should the future regent of France send a minister to the United States, ought he to be received?

XIII. Is it necessary or advisable to call together the two Houses of Congress, with a view to the present posture of European affairs? . . .

Jefferson drew up the following memorandum of the replies to these questions:

At a meeting of the heads of departments and the attorney-general at the President's, April 19, 1793, to consider the foregoing questions proposed by the President, it was determined by all, on the first question, that a proclamation shall issue forbidding our citizens to take part in any hostilities on the seas, with or against any of the belligerent powers; and warning them against carrying to any such powers any of those articles deemed contraband, according to the modern usage of nations; and enjoining them from all acts and proceedings inconsistent with the duties of a friendly nation towards those at war.

On the second question, "Shall a minister from the Republic of France be received?" it was unanimously agreed, that he shall be received.

The remaining questions were postponed for further consideration.

President Washington accordingly issued the following proclamation:

Whereas it appears, that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands, on the one part, and France on the other [see p. 196, note 2]; and the duty and interest of the United States require, that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial towards the belligerent powers;

I have therefore thought fit by these presents to declare the disposition of the United States to observe the conduct aforesaid towards those powers respectively, and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever, which may in any manner tend to contravene such disposition.

And I do hereby also make known, that whosoever of the United States shall render himself liable to punishment or forfeiture under the laws of nations, by committing, aiding, or abetting hostilities against any of the said powers, or by carrying to any of them those articles, which are deemed contraband

by the modern usage of nations, will not receive the protection of the United States against such punishment or forfeiture; and further that I have given instructions to those officers, to whom it belongs, to cause prosecutions to be instituted against all persons, who shall within the cognizance of the courts of the United States violate the law of nations with respect to the powers at war, or any of them.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the 22^{d} day of April, 1793, and of the independence of the United States of America the seventeenth.

49. The XYZ message, April 3, 1798

[200]

When on top of the Neutrality Proclamation, Washington's government negotiated the Jay treaty with England (1794), the French Jacobins were persuaded that we were hostile to their new republic. Their indignation was further roused when the ardent republican minister, James Monroe, was recalled by Washington in the summer of 1796 for overstepping his instructions "to show our confidence in the French Republic, without betraying the most remote mark of undue complaisance."[1] The ill feeling reached its culmination when the French Directory insulted

[1] W. H. Trescott, The Diplomatic History of the Administrations of Washington and Adams, p. 151. Trescott prints (p. 177) the letter written by the Directory (the executive officials of France under the Constitution of 1795–1799) to Monroe when he was recalled. It is dated December 11, 1796, and informs Monroe that the Directors "will not acknowledge nor receive another Minister Plenipotentiary from the United States, until after the redress of the grievances demanded of the American government, and which the French Republic has a right to expect from it." The "grievance" was the negotiation of the Jay treaty, which the French looked on as the annulment of their treaty of 1778 with the United States. When Monroe returned to America he published a long pamphlet in vindication of his conduct as Minister at Paris, which he called "A View of the Conduct of the Executive . . . connected with the mission to the French Republic during the years 1794, 5 and 6." — Monroe, Writings, ed. S. M. Hamilton, Vol. III, pp. 383–457.

the commissioners whom President Adams sent to Paris in 1797 to attempt to restore amity. The story is told in the following dispatch from the commissioners at Paris to the Secretary of State, which was communicated to Congress by President Adams on March 3, 1798:

Paris, October 22, 1797

Dear Sir:

All of us having arrived at Paris, on the evening of the 4th instant, on the next day we verbally and unofficially informed the Minister of Foreign Affairs therewith, and desired to know when he would be at leisure to receive one of our secretaries with the official notification. He appointed the next day, at two o'clock, when Major Rutledge waited on him with the following letter:

Citizen Minister: The United States of America being desirous of terminating all differences between them and the French Republic . . . the President has nominated, and, by and with the consent of the Senate, has appointed us, the undersigned . . . Envoys Extraordinary and Ministers Plenipotentiary to the French Republic, for the purpose of accomplishing this great object. . . . We wish, Citizen Minister, to wait on you at any hour you will be pleased to appoint, to present the copy of our letters of credence; and whilst we evince our sincere and ardent desire for the speedy restoration of friendship and harmony between the two Republics, we flatter ourselves with your concurrence in the accomplishment of this desirable event. . . .

Charles C. Pinckney
John Marshall
Elbridge Gerry

Paris, October 6

To this letter the Minister gave a verbal answer that he would see us the day after the morrow (the 8th) at one o'clock. Accordingly at that day and hour we waited on the Minister at his house. . . . He informed us "that the Directory had required him to make a report relative to the situation of the United States with regard to France, . . . which would be finished in a few days, when he would let us know what steps were to follow." . . . The next day cards of hospitality were sent us and our secretaries, in a style suitable to our official character. . . .

In the morning of October the 18th, M. W[1] called on General Pinckney and informed him that a M. X who was in Paris, and whom the General had seen was a gentleman of considerable credit and reputation and that we might place great reliance on him.

In the evening of the same day, M. X called on General Pinckney, and after having sat some time whispered to him that he had a message from M. Talleyrand to communicate when he was at leisure. . . . General Pinckney said that he should be glad to hear it. M. X replied that the Directory, and particularly two of the members of it, were exceedingly irritated at some passages of the President's Speech,[2] and desired that they should be softened, and that this step would be necessary previous to our reception. That, besides this, a sum of money was required for the pocket of the Directory and Ministers which would be at the disposal of M. Talleyrand; and that a loan would also be insisted on. M. X said that if we acceded to these measures, M. Talleyrand had no doubt that all our differences with France might be accommodated. On inquiry, M. X could not point out the particular passages of the Speech that had given offence, nor the quantum of the loan, but mentioned that the douceur for the pocket, was 1,200,000 livres, about 50,000 pounds sterling. . . .

On the morning of the 20th M. X called and said that M. Y, the confidential friend of M. Talleyrand, instead of communicating with us through M. X, would see us himself and make

[1] The names of the agents who dealt with our Commissioners were given in the report from Paris, but Secretary of State Pickering withheld them in the documents he submitted to Congress, supplying their places by the letters *W*, *X*, *Y*, and *Z*. The *M.* before these letters in the text stands for the French word Monsieur (Mr.).

[2] The speech to the special session of Congress, convened May 16, 1797. In it Adams reviews the behavior of France, and says that it "ought to be repelled with a decision which shall convince France and the world that we are not a degraded people, humiliated under a colonial spirit of fear, and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honor, character, and interest." — Richardson, Messages and Papers of the Presidents, Vol. I, p. 235.

the necessary explanations. We appointed to meet him the evening of the 20th at seven o'clock, in General Marshall's room. At seven M. Y and M. X entered. . . . M. Y stated to us explicitly and repeatedly that he was clothed with no authority, that he was not a diplomatic character, that he was only the friend of M. Talleyrand, and trusted by him. . . . He then took out of his pocket a French translation of the President's speech, the parts of which, objected to by the Directory were marked. . . . On reading the speech, M. Y dilated very much upon the keenness of the resentment that it had produced, and expatiated largely on the satisfaction he said was indispensably necessary as a preliminary to negotiation. "But," said he, "Gentlemen, I will not disguise from you that, this satisfaction being made, the essential part of the treaty remains to be adjusted; il faut de l'argent — il faut beaucoup d'argent;" *you must pay money, you must pay a great deal of money.* He spoke much of the force, the honor, and the jealous republican pride of France; and represented to us strongly the advantage we should derive from the neutrality thus to be purchased. He said that the receipt of the money might be so disguised as to prevent its being considered a breach of neutrality by England, and thus save us from being embroiled with that Power. . . . These propositions being considered . . . M. Talleyrand trusted that, by his influence with the Directory, he could prevail on the Government to receive us. . . .

The nature of the above communication will evince the necessity of secrecy; and we have promised Messrs. X and Y that their names shall in no event be made public.

We have the honor to be etc., C. C. Pinckney
J. Marshall
E. Gerry

M. Talleyrand advised Pinckney and Marshall to "quit the territory of the French Republic" and let him carry on negotiations with Gerry (the democratic member of the commission) alone. When Adams heard of this high-handed "diplomacy," he wrote to Congress (June 21,

50. A plea for peace, October 2, 1798 [202]

1798): "I will never send another Minister to France without assurances that he will be received, respected, and honored as the representative of a great, free, powerful, and independent nation." Preparations for war were made, and George Washington was appointed commander of the army. Joel Barlow, who had gone to Paris ten years earlier as agent for the Ohio Land Company (see p. 186 above), wrote the following letter to Washington in the vain attempt to stave off the war:

Paris, 2d October, 1798

SIR,

On hearing of your nomination, for the second time, as commander in chief of the American armies, I rejoice at it; not because I believe that the war which this nomination contemplates is yet unavoidable, and that it will furnish an occasion for the further display of your military talents; but because it may enable you to exert your influence to a greater effect in preventing the war. . . .

Perhaps few men who cannot pretend to have been in the secrets of either government, are in a better situation than myself to judge of the motives of both; to assign the true causes of their unhappy misunderstanding; or to appreciate their present dispositions, pretensions, and wishes. I am certain no one labors more sincerely for the restoration of harmony, on terms honorable to the United States, and advantageous to the cause of liberty.

I will not in this place go over the history of past transactions. It would be of little use. The object is to seize the malady in its present state, and try to arrest its progress. The dispute at this moment may be characterized simply and literally a *misunderstanding*. I cannot persuade myself to give it a harsher name, as it applies to either government. It is clear that neither of them has an interest in going to war with the other; and I am convinced that neither of them has the inclination. . . .

But each government . . . believes the other determined on war, and ascribes all its conduct to a deep-rooted hostility. . . .

By what fatality is it that a calamity so dreadful is to be *rendered* inevitable because it is *thought* so? Both governments have tongues, and both have ears. Why will they not speak? Why will they not listen? The causes that have hitherto prevented them are not difficult to assign. . . . But I will avoid speaking of any past provocations on either side. The point which I wish to establish in your mind is, that the French Directory is at present sincerely desirous of restoring harmony between this country and the United States, on terms advantageous to both parties. . . .

You will judge whether it does not comport with the independence of the United States, and the dignity of their government, to send another minister, to form new treaties with the French Republic. . . .

Were I writing to a young general, whose name was yet to be created, I might deem it vain to ask him to stifle in its birth a war on which he had founded his hopes of future honors. But you, Sir, having already earned and acquired all that can render a man great and happy, can surely have no object of ambition, but to render your country so. To engage your influence in favor of a new attempt at negotiation, before you draw your sword, I thought it only necessary to convince you that such attempt would be well received here, and probably attended with success. . . .

I am not accustomed to interpose my advice in the administration of any country; and should not have done it now, did I not believe it my duty, as a citizen of my own and a friend to all others. I see two great nations rushing on each other's bayonettes, without any cause of contention but a misunderstanding. I shudder at the prospect, and wish to throw myself between the vans, and suspend the onset, till a word of explanation can pass. . . .

Joel Barlow

The strife between Federalists and Republicans broke up Washington's cabinet, divided the country into bitterly hostile factions, and culminated in the eventful year 1798, when the Federalists passed the Alien and Sedition Acts,

51. The Kentucky and Virginia resolutions, 1798–1799 [202]

and the Republicans replied by the Kentucky and Virginia Resolutions, drawn up by Jefferson and Madison respectively. Both sets of resolutions were sent to the other states of the Union for approval; but not one of the seven replies received was favorable. Kentucky then contented herself by reaffirming her position, with the addition of a new resolution (November 22, 1799), while Virginia simply referred the matter to a committee. The Virginia Resolutions of 1798 and the Kentucky Resolution of 1799 follow:

In the House of Delegates
Friday, December 21, 1798

[1.] *Resolved*, That the General Assembly of Virginia doth unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the Constitution of this State, against every aggression foreign or domestic; and that they will support the Government of the United States in all measures warranted by the former.

[2.] That this Assembly most solemnly declares a warm attachment to the Union of the States, to maintain which it pledges all its powers; and that, for this end, it is their duty to watch over and oppose every infraction of those principles which constitute the only basis of that Union, because a faithful observance of them can alone secure its existence and the public happiness.

[3.] That this Assembly doth explicitly and peremptorily declare that it views the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact . . . and that, in case of a deliberate, palpable, and dangerous exercise of other powers not granted by the said compact, the States, who are parties thereto, have the right and are in duty bound, to interpose for arresting the progress of the evil. . . .

[4.] That the General Assembly doth also express its deep regret, that a spirit has in sundry instances been manifested by

the Federal Government to enlarge its powers by forced constructions of the constitutional charter which defines them . . . and so to consolidate the States, by degrees, into one sovereignty, the obvious tendency and the inevitable result of which would be to transform the present republican system of the United States into an absolute, or, at best, a mixed monarchy.

[5.] That the General Assembly doth particularly protest against the palpable and alarming infractions of the Constitution in the two late cases of the "Alien and Sedition Acts," passed at the last session of Congress; the first of which exercises a power nowhere delegated to the Federal Government . . . and the other of which acts exercises, in like manner, a power not delegated by the Constitution, but, on the contrary, expressly and positively forbidden by one of the amendments thereto — a power which more than any other, ought to produce universal alarm, because it is levelled against the right of freely examining public characters and measures, and of free communication among the people thereon [Amd't I]. . . .

[6.] That this State having by its Convention which ratified the Federal Constitution expressly declared that, among other essential rights, "the liberty of conscience and of the press cannot be cancelled, abridged, restrained, or modified by any authority of the United States," . . . it would mark a reproachful inconsistency and criminal degeneracy, if an indifference were now shown to the palpable violation of one of the rights thus declared. . . .

[7.] That the good people of this Commonwealth having ever felt and continuing to feel the most sincere affection for their bretheren of the other States . . . the General Assembly doth solemnly appeal to the like dispositions of the other States, in confidence that they will concur with this Commonwealth in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional; and that the necessary and proper measures will be taken by each for coöperating with this State, in maintaining unimpaired the authorities, rights, and liberties reserved to the States respectively, or to the people.

[8.] That the Governor be desired to transmit a copy of the foregoing resolutions to the Executive authority of each of the

other States, with a request that the same may be communicated to the Legislature thereof; and that a copy be furnished to each of the Senators and Representatives representing this State in the Congress of the United States.

The additional resolution adopted by the Kentucky legislature in 1799, after the unfavorable response to the resolutions of 1798, reads:

Resolved, . . . That if those who administer the General Government be permitted to transgress the limits fixed by that compact [the Constitution], by a total disregard to the special delegations of power therein contained, an annihilation of the State Governments, and the creation upon their ruins of a General Consolidated Government, will be the inevitable consequence — that the principle and construction contended for by sundry of the state legislatures, that the General Government is the exclusive judge of the extent of the powers delegated to it, stop nothing [short] of *despotism*, since the discretion of those who administer the government, and not the *Constitution*, would be the measure of their powers: That the several states who formed that instrument being sovereign and independent, have the unquestionable right to judge of the infraction; and, *That a Nullification by those sovereignties, of all unauthorized acts done under color of that instrument is the rightful remedy*: That this Commonwealth does, under the most deliberate reconsideration, declare, that the said Alien and Sedition Laws are, in their opinion, palpable violations of the said Constitution; . . . That although this commonwealth, as a party to the federal compact, will bow to the laws of the Union, yet, it does, at the same [time] declare, that it will not now, or ever hereafter, cease to oppose in a constitutional manner, every attempt at what quarter soever offered, to violate that compact. And, finally, in order that no pretext or arguments may be drawn from a supposed acquiescence, on the part of this Commonwealth in the constitutionality of those laws, and be thereby used as precedents for similar future violations of the Federal compact — this Commonwealth does now enter against them its solemn PROTEST.

Both Jefferson and Madison lived to a great age, and many years after the bitter contests of the first quarter of a century of our country's history, each gave his explanation of the purpose of the famous Kentucky and Virginia Resolutions. Jefferson wrote in a letter to J. C. Breckenridge, December 11, 1821:

At the time when the Republicans of our country were so much alarmed at the proceedings of the Federal ascendency in Congress, in the Executive and the Judiciary departments, it became a matter of serious consideration how head could be made against their enterprises on the Constitution. The leading Republicans in Congress found themselves of no use there, browbeaten as they were by a bold and overwhelming majority. They concluded to retire from that field, take a stand in their state legislatures, and endeavor there to arrest their [Federalists] progress. The Alien and Sedition Laws furnished the particular occasion. The sympathy between Virginia and Kentucky was more cordial and more intimately confidential than between any other two States of republican policy. Mr. Madison came into the Virginia legislature. I was then in the Vice-Presidency, and could not leave my station; but your father, Col. Nicholas, and myself happening to be together, the engaging the coöperation of Kentucky in an energetic protestation against the constitutionality of those laws became a subject of consultation. Those gentlemen pressed me strongly to sketch resolutions for that purpose, your father undertaking to introduce them into that legislature, with a solemn assurance, which I strictly required, that it should not be known from what quarter they came. I drew and delivered them to him, and in keeping their origin secret he fulfilled his pledge of honor.

Ten years later (March 27, 1831) the aged Madison wrote to James Robertson:

The veil which was originally over the draft of the resolutions offered in 1798 to the Virg[a] Assembly having been long since removed, I may say in answer to your enquiries that it was

[they were] penned by me. . . . With respect to the terms following the term "unconstitutional" — viz., "not law, but null, void and of no force or effect," which were stricken out of the 7th resolution, my memory cannot positively decide whether they were or were not in the original draft. . . . On the presumption that they were in the draft as it went from me, I am confident they must have been regarded only as giving accumulated emphasis to the *declaration* that the alien and sedition acts had in the opinion of the Assembly violated the Constitution of the U.S., and not that the addition of them could annul the acts or sanction a resistance of them. The Resolution was expressly *declaratory*, and proceeding from the Legislature only,[1] which was not even a party to the Constitution, could be declaratory of opinion only.

52. Washington's appeal to Patrick Henry, January 15, 1799

[205]

A few weeks after the publication of the Kentucky and Virginia Resolutions, Washington, greatly disturbed over the attacks on the administration of his Federalist successor, John Adams, and alarmed by language of a state legislature which spoke of acts of Congress as "not law but altogether void and of no force," and "palpable infractions of the Constitution," wrote to ex-Governor Patrick Henry of Virginia, urging him to run for a seat in Congress or in his state legislature, where he could help rescue the country from the pending evil.

Confidential

Mount Vernon, 15 Jan. 1799

Dear Sir

At the threshold of this letter, I ought to make an apology for its contents. . . . It would be a waste of time to bring to

[1] The astute Madison saw at the time the inconsistency of protest by a State *Legislature*. He wrote to Jefferson, December 29, 1798: "Have you ever considered thoroughly the distinction between the power of the *State* and that of the *Legislature*, on questions relating to the federal pact? On the supposition that the former is clearly the ultimate Judge of infractions, it does not follow that the latter is the

the view of a person of your observation & discernment, the endeavors of a certain party among us, to disquiet the Public mind with unfounded alarms; — to arraign every act of the Administration; — to set the People at varience with their Government; — and to embarrass all its measures. — Equally useless would it be, to predict what must be the inevitable consequences of such policy if it cannot be arrested. —

Unfortunately, and extremely do I regret it, the State of Virginia has taken the lead in this opposition. . . . It has been said, that a great mass of the Citizens of this State are well affected, notwithstanding, to the General Government and the Union; — and I am willing to believe it — nay do believe it. . . . But at such a crisis as this, when everything dear & valuable to us is assailed; when this Party hang upon the Wheels of Government as a dead weight, opposing every measure that is calculated for defence & self preservation; — abetting the nefarious views of another Nation [France], upon our rights; — when measures are systematically and pertenaciously pursued, which must eventually dissolve the Union or produce coercion — I say, when these things have become so obvious, ought characters who are best able to rescue their Country from the pending evils to remain at home? Rather, ought they not to come forward, and by their talents and influence stand in the breach wh. such conduct has made on the Peace and happiness of this country, and oppose the widening of it? . . .

I come now, my good Sir, to the object of my letter — which is — to express a hope, and an earnest wish, that you wd. come forward at the ensuing Elections (if not for Congress, which you may think would take you too long from home) as a Candidate for representative in the General Assembly of this Commonwealth.[1] . . .

legitimate organ, especially as a Convention was the organ by which the compact was made." — Works, Vol. VI, p. 328, note.

[1] Henry took Washington's advice and was elected in the spring of 1799 to the Virginia Assembly; but he died (June 6, 1799) before taking his seat. He had previously declined the offices of Secretary of State (1795), Chief Justice of the Supreme Court (1795), Governor of Virginia (1796), and Minister to France (1799).

If I have erroneously supposed that your sentiments on these subjects are in unison with mine; — or if I have assumed a liberty which the occasion does not warrant, I must conclude as I began, with praying that my motives may be received as an apology; and that my fear, that the tranquillity of the Union, and of this State in particular, is hastening to an awful crisis, have extorted them from me.

With great, and very sincere regard and respect, — I am — Dear sir

Your Most Obed^{t} & Very H^{ble} Serv^{t}
G^{o} Washington

Patrick Henry Esq^{r}

The Jeffersonian Policies

53. The discovery of the Columbia river, 1792

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The completion of the Constitution of the United States was unexpectedly celebrated by the first voyage of the American flag around the world. On September 23, 1787, Captains Gray and Kendrick sailed from Boston Harbor in the ships *Columbia* and *Washington*, and doubling Cape Horn, collected furs on the northwestern coast of America for the Chinese trade. Gray, in the *Columbia*, sailed to Canton, and continuing his westward journey around the globe, brought his cargo of tea into Boston Harbor to the sound of a rousing welcome on August 10, 1790.[1] He started to repeat his profitable voyage in September, 1790, fortified by letters from Governor Hancock of Massachusetts and President Washington; and, while on the northwestern coast, discovered and sailed into the mouth of the broad river which bears his good ship's name. The discovery of the Columbia River established the earliest and best claim of the United States to the great Oregon region. The following account is from the log book of the *Columbia*:

[1] A charming narrative of the voyages of the *Columbia*, illustrated by valuable drawings, was published by the Reverend E. G. Porter in the *New England Magazine* for June, 1892, the Oregon centennial year.

May 7th 1792 — Being within six miles of land, saw an entrance in the same, which had a very good appearance of a harbor. . . . Made sail on the ship; stood in for the shore. We soon saw from our mast-head a passage in between the sand-bars. . . . At five p.m. came to in five fathoms water, sandy bottom with a safe harbor, well sheltered from the sea by long sand-bars and spits. Our latitude observed this day was 46° 58′ north.

May 10th — Fresh breezes and pleasant weather; many natives alongside. At noon all the canoes left us. . . .

May 11th — . . . At 4 a.m. saw the entrance of our desired port bearing east-south-east, distance six leagues. . . . At eight a.m. run in east-north-east between the breakers, having from five to seven fathoms of water. When we were over the bar, we found this to be a large river of fresh water, up which we steered. Many canoes came alongside. . . . At 1 p.m. the entrance between the bars bore west-south-west, distance ten miles; the north side of the river a half a mile distant from the ship; the south side of the same two and a half miles' distance; a village on the north side of the river, west by north, distance three quarters of a mile. Vast numbers of natives came alongside; people employed in pumping the salt water out of our water casks, in order to fill with fresh, while the ship floated in. . . .

May 14th — Fresh gales and cloudy; many natives alongside; at noon weighed and came to sail, standing up the river north-east by east; we found the channel very narrow. At four p.m. we had sailed upwards of twelve or fifteen miles, when the channel was so very narrow that it was almost impossible to keep in it, having from three to eighteen fathoms of water, sandy bottom. At half-past four the ship took ground, but she did not stay long before she came off, without any assistance. We backed her off stern foremost, into three fathoms. . . . The jolly-boat was sent to sound the channel out, but found it not navigable any farther up; so, of course, we must have taken the wrong channel. So ends, with rainy weather; many natives alongside. . . .

May 19th — Fresh wind and clear weather. Early a number of canoes came alongside; seamen and tradesmen employed in

their various departments. Captain Gray gave this river the name of *Columbia's River*, and the north side of the entrance *Cape Hancock*; the south, *Adams's Point.*

May 20th — . . . At one p.m. (being full sea), took up the anchor and made sail, standing down river. . . . At five p.m. we were out, clear of all the bars and in twenty fathoms water. . . . At eight Cape Hancock bore south-east, distant three leagues. . . .

Captain Gray's letter from President Washington reads as follows:

To all Emperors, Kings, Sovereign princes, State and Regents and to their respective officers civil and military, and to all others whom it may concern:

I, George Washington, President of the United States of America, do make known that Robert Gray, Captain of a ship called the Columbia, of the burden of about 230 tons, is a citizen of the United States, and that the said ship which he commands belongs to the citizens of the United States; and as I wish that the said Robert Gray may prosper in all his lawful affairs, I do request all the before mentioned, and each of them separately, when the said Robert Gray shall arrive with his vessel and cargo, that they will be pleased to receive him with kindness and treat him in a becoming manner, &c., and thereby I shall consider myself obliged.

Sept. 16, 1790 — New York City

Ge° Washington
President

Thomas Jefferson
Secretary of State

54. A petition of the inhabitants of Louisiana, 1804

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The transfer of the Louisiana territory from France to the United States in 1803 has been called "the largest transaction in real estate that the world has ever seen." It not only doubled the original area of our country but by its incorporation of alien peoples it gave rise to serious problems of government. The third article of the treaty

read: "The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution to the enjoyment of all the rights, advantages, and immunities of citizens of the United States." . . . But the law passed in March, 1804, by Congress, providing for the territorial government was so poor a promise of the fulfillment of this pledge that the following petition was forwarded by the people of the territory to Congress. The author was Edward Livingston, younger brother of Robert R. Livingston, who, with special envoy Monroe, had negotiated the purchase treaty. Edward Livingston removed to Louisiana soon after the purchase, and did the people of Louisiana a lasting service by recasting their old Spanish and French laws into a code suitable for a state of the American Union.

We, the subscribers, planters, merchants, and other inhabitants of Louisiana, respectfully approach the Legislature of the United States with a memorial of our rights, a remonstrance against certain laws which contravene them, and a petition for that redress to which the laws of nature, sanctioned by positive stipulation, have entitled us. . . .

Persuaded that a free people would acquire territory only to extend the blessings of freedom, that an enlightened nation would never destroy those principles on which its Government was founded, and that their Representatives would disdain to become the instruments of oppression, we calculated with certainty that their first act of sovereignty would be a communication of all the blessings they enjoyed. . . . It was early understood that we were to be American Citizens; this satisfied our wishes. . . . We knew that it was impossible to be citizens of the United States, without enjoying a personal freedom, protection for property, and, above all, the privileges of a free Representative Government. . . .

With a firm persuasion that these engagements [of the treaty] were to be fulfilled, we passed under your jurisdiction with a joy bordering on enthusiasm. . . . Even the evils of a military and absolute authority were acquiesced in, because it indicated an eagerness to complete the transfer, and place beyond the reach of accident the union we mutually desired. . . . But we cannot conceal, we ought not to dissemble, that the first project presented for the government of this country tended to lessen our enthusiasm . . . and to fix our attention on present evils, while it rendered us less sanguine as to the future. . . .

Disavowing any language but that of respectful remonstrance, disdaining any other but that which befits a manly assertion of our rights, we pray leave to examine the law for erecting Louisiana into two Territories and providing for the temporary government thereof, to compare its provisions with our rights, and its whole scope with the letter and spirit of the treaty which binds us to the United States.[1]

The first section erects the country south of the 33^{d} degree into a Territory of the United States, by the name of the Territory of Orleans. The second gives us a Governor appointed for three years by the President of the United States. The fourth vests in him and in a council, also chosen by the President, all Legislative power, subject to revision by Congress. . . . And a fifth establishes a judiciary; . . . The judges of the superior court are appointed by the President, to continue in office four years.

This is a summary of our constitution . . . and this is the promise performed, which was made by our first magistrate in your name "that you would receive us as brothers, and hasten to extend to us a participation in those invaluable rights which had formed the basis of your unexampled prosperity." . . .

Is it necessary for us to demonstrate that this act does not "incorporate us in the Union," that it vests us with none of the "rights," gives us no "advantages," and deprives us of all the "immunities" of American citizens? . . .

[1] The text of the treaty can be found in the Old South Leaflets, Vol. VI, No. 128.

A Governor is to be placed over us whom we have not chosen, whom we do not even know. . . . This Governor is vested with all executive and almost unlimited legislative power. . . .

Taxation without representation, an obligation to obey laws without any voice in their formation, the undue influence of the executive upon legislative proceedings, and a dependent judiciary, formed, we believe very prominent articles in the list of grievances complained of by the United States at the commencement of their glorious contest for freedom. . . . They formed, as your country then unanimously asserted, the only rational basis on which Government could rest. . . .

Were the patriots who composed your councils mistaken in their political principles? Did the heroes who died in their defence seal a false creed with their blood? . . . Do political axioms on the Atlantic become problems when transferred to the shores of the Mississippi? Where, we ask respectfully, where is the circumstance that is to exclude us from a participation in those rights? . . . Many of us are native citizens of the United States who have participated in that kind of knowledge which is there spread among the people; the others generally are men who will not suffer by a comparison with the population of any other colony. . . . For our love of order and submission to the laws we can confidently appeal to the whole history of our settlement. . . . Many individuals possessing a property and rank, which suppose a liberal education, were among the first settlers. . . . Their descendants now respectfully call for the evidence which proves that they have so far degenerated as to become totally incompetent to the task of legislation. . . .

Deeply impressed, therefore, with a persuasion that our rights need only be stated to be recognized and allowed; that the highest glory of a free nation is a communication of the blessings of freedom; and that its best reputation is derived from a sacred regard to treaties; we pray you, Representatives of the people, to consult your own fame and our happiness, by a prompt attention to our prayer. . . . Annexed to your country by the course of political events, it depends upon you to determine whether we shall pay the cold homage of reluctant subjects, or render the free allegiance of citizens. . . .

We, therefore, respectfully pray that so much of the law abovementioned, as provides for the temporary government of this country, as divides it into two Territories, and prohibits the importation of slaves, be repealed. And that prompt and efficacious measures may be taken to incorporate the inhabitants of Louisiana into the Union of the United States, and admit them to all the rights, privileges, and immunities, of the citizens thereof. . . .

P. Sauve
L. Debigny
Destrehan

55. The Lewis and Clark expedition, 1803-1806

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About three months before the Louisiana territory was purchased from France, Jefferson, by a special message, persuaded Congress to sanction and support a scientific exploring expedition from the Missouri River to the Pacific Coast — a scheme in which he had been interested for twenty years.[1] Jefferson selected Meriwether Lewis, his private secretary, to lead the expedition. His instructions to Lewis are contained in a letter of June 20, 1803:

To Meriwether Lewis, Esquire, Captain of the 1st regiment of infantry of the United States of America: Your situation as Secretary of the President of the United States has made you acquainted with the objects of my confidential message of Jan. 18, 1803, to the legislature. You have seen the act they passed, which, tho' expressed in general terms, was meant to sanction those objects, and you are appointed to carry them into execution.

Instruments for ascertaining by celestial observations the geography of the country thro' which you will pass, have already been provided, light articles for barter, & presents among the Indians, arms for your attendants, say for from 10 to 12 men, boats, tents, & other travelling apparatus, with ammunition,

[1] In 1783 Jefferson had proposed to George Rogers Clark, the hero of Vincennes, to head an expedition "for exploring the Country from the Mississippi to California." — Original Journals of the Lewis and Clark Expedition, ed. R. G. Thwaites, Vol. I, p. xx.

medicine, surgical instruments & provisions you will have prepared with such aids as the Secretary at War can yield in his department; & from him also you will receive authority to engage among our troops, by voluntary agreement, the number of attendants above mentioned, over whom you, as their commanding officer, are invested with all the powers the laws give in such a case. . . .

Your mission has been communicated to the Ministers here from France, Spain, & Great Britain, and through them to their governments: and such assurances given them as to it's objects as we trust will satisfy them.[1] . . .

The object of your mission is to explore the Missouri river, & such principal stream of it, as, by it's course & communication with the waters of the Pacific Ocean, may offer the most direct & practicable water communication across this continent, for the purpose of commerce. . . .

The commerce which may be carried on with the people inhabiting the line you will pursue, renders a knolege [knowledge] of these people important. You will therefore endeavor to make yourself acquainted . . . with the names of the nations & their numbers; the extent and limits of their possessions; their relations with other tribes or nations; their language, traditions, monuments; their ordinary occupations in agriculture, fishing, hunting, war, arts, & the implements for these; their food, clothing, and domestic accomodations; the diseases prevalent among them, and the remedies they use; moral & physical circumstances which distinguish them from the tribes we know; peculiarities in their laws, customs, and dispositions; the articles of commerce they may need or furnish, & to what extent. . . .

Other object[s] worthy of notice will be the soil & face of the country, it's growth & vegetable productions; especially those not of the U.S.; the animals of the country generally, & especially those not known in the U.S.; the remains and accounts of any which may [be] deemed rare or extinct; the mineral

[1] The student must bear in mind that until we took over the Louisiana territory from France, some time after this letter was written, all of the land west of the Mississippi was in the hands or subject to the claims of the foreign powers mentioned here by Jefferson.

productions of every kind; but more particularly metals, limestone, pit coal & saltpetre; . . . Volcanic appearances; climate as characterized by the thermometer . . . by the winds prevailing at different seasons, the dates at which particular plants put forth or lose their flowers, or leaf, times of appearance of particular birds, reptiles or insects. . . .

In all your intercourse with the natives treat them in the most friendly & conciliatory manner which their own conduct will admit; allay all jealousies as to the object of your journey; satisfy them of it's innocence, make them acquainted with the position, extent, character, peaceable & commercial dispositions of the U.S. of our will to be neighborly, friendly & useful to them. . . .

Should you reach the Pacific Ocean . . . inform yourself of the circumstances which may decide whether the furs of those parts may not be collected as advantageously at the head of the Missouri as at Nootka sound or any other point of that coast; & that trade be consequently conducted through the Missouri & U.S. more beneficially than by the circumnavigation now practised.

On your arrival on that coast endeavor to learn if there be any port within your reach frequented by the sea-vessels of any nation, and to send two of your trusty people back by sea . . . with a copy of your notes. And should you be of opinion that the return of your party by the way they went will be eminently dangerous, then ship the whole & return by sea by way of Cape Horn or the Cape of good Hope as you shall be able. As you will be without money, clothes, or provisions, you must endeavor to use the credit of the U.S. to obtain them; for which purpose open letters of credit shall be furnished you authorizing you to draw on the Executive of the U.S. or any of its officers in any part of the world. . . .

Your observations are to be taken with great pains and accuracy, to be entered distinctly, & intelligibly for others as well as yourself, . . . several copies of these . . . should be made at leisure times, & put into the care of the most trustworthy of your attendants, to guard by multiplying them, against the accidental losses to which they will be exposed. A further guard would be that one of these copies be written on the paper of the birch, as less liable to injury from damp than common paper. . . .

To provide, on the accident of your death, against anarchy, dispersion, & the consequent danger to your party, and total failure of the enterprise, you are hereby authorized, by any instrument signed & written in your hand, to name the person among them who shall succeed to the command on your decease. . . .

Given under my hand at the city of Washington, this 20th day of June 1803

Th. Jefferson
Pr. U. S. of America

John Ordway, first sergeant of the expedition, wrote his parents just before the company started from camp at the mouth of the Missouri River:

Camp River Dubois, April the 8th, 1804

Honored Parents: I now embrace this opportunity of writing to you once more to let you know where I am and where I am going. I am well thank God and in high Spirits. I am now on an expedition to the westward, with Capt. Lewis and Capt. Clark, who are appointed by the President of the united States to go on an Expedition through the interior parts of North America, we are to ascend the Missouri River with a boat as far as it is navigable and then go by land to the western ocean, if nothing prevents. This party consists of 25 picked men of the armey and country likewise and I am so happy as to be one of them picked men from the armey and I and all the party are if we live to return to receive our discharge when ever we return again to the united States if we choose it. This place is on the Mississippi River opposite to the mouth of the Missouri River and we are to start in ten days up the Missouri River, this has been our winter quarters, we expect to be gone 18 months or two years, we are to receive a great reward for this expedition 15 dollars a month[1] and at least 400 ackers [acres]

[1] In a draft of receipts for compensation for the expedition John Ordway's name appears first, acknowledging the receipt of $266.66 for thirty-three months ten days' services (January 1, 1804, to October 10, 1806) at eight dollars a month. The privates received five dollars a month. — Thwaites, Original Journals of the Lewis and Clark Expedition, Vol. VII, p. 360.

of first rate land and if we make great discoveries as we expect the united States has promised to make us great rewards, more than we are promised. . . .

I have received no letters since Betseys yet but will write next winter if I have a chance.

Yours &c.

John Ordway Segt.

The War of 1812

56. British and French aggressions

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The great struggle between France and England, which lasted with scarcely a breathing space from 1793 to 1815, involved all the nations of western Europe and their colonies in the distant parts of the earth. It was only in the ships of the United States, under a neutral flag, that the valuable food products of the French, Dutch, and Spanish colonies could be brought to European ports. Our exports increased from $20,000,000 in 1790 to $108,000,000 in 1807, or three and one-half times as rapidly as our population; and the tonnage of vessels engaged in foreign trade rose from 346,000 in 1790 to 984,000 in 1810. Each of the two great belligerent powers tried to break up this trade in so far as it benefited the other. Each called our commerce with the other "war in disguise against itself." Each issued a series of decrees and orders hostile to our commerce.[1] And each committed acts of violence in the forcible stoppage of our ships and impressment of our crews that were ample cause for war. The following examples show what indignities the Americans suffered years before they were provoked to the formal declaration of war:

[1] At the request of the Senate, Secretary of State Madison compiled a list of acts and decrees hostile to our commerce passed by the British, French, and Spanish governments between March, 1793, and October, 1808. He enumerates thirty-one British and eighteen French instances. — American State Papers, "Foreign Relations," Vol. III, pp. 262–292.

Charleston, South Carolina, June 12, 1805

To the honorable James Madison, Esquire, Secretary of State of the United States. The memorial of the President and Directors of the South Carolina Insurance Company, and of the merchants and others interested in the commerce of the city of Charleston, respectfully showeth:

That your memorialists are deeply affected by the recent capture, at the very entrance of this port, of the American ship *Two Friends*, by a French privateer. This event has excited among all classes of citizens, the strongest sensations, not only because the said ship was captured without any color of pretence, within sight of land, but because she is our only regular London trader, and had on board a full supply of spring and summer goods. . . . Your memorialists are authorized to add (although the fact be not detailed in the protest) that it appears, from undoubted authority, that the magnitude of the prize was the sole inducement of the above-mentioned capture, the captors having said that they would release the *Two Friends*, in the event of their falling in with any other valuable prize, which might be more worthy of their notice.

This most extraordinary capture, in direct violation of our treaty with France (as appears by the accompanying documents) has already been followed by events no less alarming, our harbor being at this moment completely blockaded by three French privateers (and more are daily expected), which examine all vessels coming in and going out of this port, and either detain or release them, according as their value excites the cupidity of the cruisers.

This degrading state of our harbor has necessarily raised the premiums of insurance, thus forcing additional sums from the pockets of our citizens, has advanced the price of every commodity, and created a distressing stagnation of our exports; for the merchants, not receiving their goods from abroad, are incapacitated from purchasing the produce of the country. Among these deplorable effects of the defenceless and humiliating condition of our commerce may be, moreover, enumerated the immense loss of duties, those in the *Two Friends* alone being estimated by the collector at forty-five thousand dollars.

Your memorialists have the best reasons for believing that this early success, experienced by these French privateers, will immediately allure others in swarms to our coast and bar, to the total ruin of private mercantile concerns, and the most fatal defalcation of the public revenue. Your memorialists have no less ground for apprehending that British cruisers, availing themselves of the absence of domestic protection, will, under the color of expelling the French, assume and occupy their ground, and either retain us in the same degraded state, harassing our vessels by searches and detention, or subject us to the disgraceful and mortifying obligations of gratitude for alien succor and relief.

Your memorialists are the more alarmed at these depredations because much valuable property is still expected this summer from other quarters than London, and considerable importations will be looked for in the fall, for our winter supplies. . . .

Your memorialists, having thus exhibited but an imperfect view of their ruinous, unprotected and degraded situation, rely with confidence on the prompt interposition of the President, to obtain, by representations to the ministers of France and Spain (in the event of the *Two Friends* being carried to a Spanish port) restitution of the said ship and her cargo, and to cause a stop to be put to similar spoliations. . . .

Thomas Corbett, President of the South Carolina Insurance Company, and 106 others

The wanton attack of the British ship *Leopard* on the American frigate *Chesapeake* off Hampton Roads, Virginia, June 22, 1807, in which three men were killed and eighteen wounded (including the Commodore, James Barron) may be called the opening act of the War of 1812. The British government later repudiated this act, recalled Admiral Berkeley, on whose authority it had been committed, restored the three American sailors taken from the *Chesapeake*, and paid an indemnity for the killed and wounded. The following extracts are from papers

submitted by Robert Smith, Secretary of the Navy, to Thomas Blount, chairman of the Committee of Congress on Aggressions, relating to "the outrage committed on the frigate *Chesapeake*."

British Consul's Office, Norfolk (Va) March 6, 1807

SIR:

The men named in the margin [Ware, Martin, Strachan, Little] deserted sometime since from His Majesty's ship *Melampus*, in Hampton Roads, by running away with her gig, and the first three are stated to have entered at the rendezvous, now open here, for the enlistment of seamen in the service of the United States. As the *Melampus* is at present in Hampton Roads, I submit to you, sir, the propriety of your directing these men (should they have entered for your service) to be returned to their duty on board His Majesty's ship before mentioned. I have the honor to remain, with perfect truth and respect, sir,

Your most obedient servant,

John Hamilton

To Captain Decatur

The cases of the alleged deserters were investigated, and James Barron, commander of the *Chesapeake*, reported to Secretary Smith, April 7, that Ware, Martin, and Strachan were all Americans who had been "pressed" on board the *Melampus* at various times and places, and that they had escaped to the shore in the captain's gig, amid "a brisk fire of musketry," while an entertainment on board was diverting the attention of the officers. The sequel is told in Barron's letter to Smith, June 23, 1807, written from on board the battered *Chesapeake* after her return to the bay.

SIR:

Yesterday at 6 a.m. the wind became favorable, and knowing your anxiety that the ship should sail with all possible despatch, we weighed from our station in Hampton Roads and stood to

sea. In Lynnhaven bay we passed two British men of war, one of them the *Bellona*, the other the *Melampus*; their colors flying and their appearance friendly. Some time afterwards, we observed one of the two line-of-battle ships that lay off Cape Henry, to get under way, and stand to sea; at this time the wind became light, and it was not until near four in the afternoon that the ship under way came within hail. Cape Henry then bearing north-west by west, distance three leagues, the communication which appeared to be her commander's object for speaking the *Chesapeake*, he said he would send on board; on which I ordered the *Chesapeake* to be hove to for his convenience. On the arrival of the officer he presented me with the enclosed paper[1] from the captain of the *Leopard* . . . to which I gave the enclosed answer [denying any knowledge of the deserters and refusing to have the crew of any ship he commanded "mustered by any but their own officers"], and was waiting for his reply. About this time I observed some appearance of a hostile nature, and said to Captain Gordon that it was possible they were serious, and requested him to have his men sent to their quarters with as little noise as possible, not using those ceremonies which we should have done with an avowed enemy, as I fully supposed their arrangements were more menace than anything serious. Captain Gordon immediately gave the orders to the men and officers to go to quarters, and have all things in readiness; but before a match could be lighted, or the quarter-bill of any division examined, or the lumber on the gun-deck, such as sails, cables, &c. could be cleared, the commander of the *Leopard* hailed; I could not hear what he said, and was talking to him, as I supposed, when she commenced a heavy fire, which did great execution.[2]

[1] An order of June 1, 1807, published by Admiral Berkeley, who was in command of the British ships in American waters, authorizing all captains to search the *Chesapeake* on the high seas for the deserters from the British ships.

[2] The commission appointed to examine the damage done the *Chesapeake* reported "twenty-two round shot in her hull," "fore and main masts incapable of being made sea-worthy," "mizzen mast badly wounded," together with great laceration of sails.

It is distressing to me to acknowledge, that I found that the advantage they had gained over our unprepared and unsuspicious state, did not warrant a longer opposition; nor should I have exposed this ship and crew to so galling a fire had it not been with the hope of getting the gun-deck clear, so as to have made a more favorable defence; consequently our resistance was but feeble. In about twenty minutes after I ordered the colors to be struck, and sent Lieutenant Smith on board the *Leopard* to inform her commander that I considered the *Chesapeake* her prize. To this message I received no answer; the *Leopard's* boat soon after came on board, and the officer who came in her demanded the muster book. I replied the ship and books were theirs, and that if he expected to see the men he must find them. They called on the purser, who delivered his book, and the men were examined; and three men demanded at Washington, and one man more were taken away. . . .

I called a council of our officers and requested their opinion relative to the conduct which it was now our duty to pursue. The result was that the ship should return to Hampton Roads, and there wait your further orders. Enclosed you have a list of the unfortunate killed and wounded, as also a statement of the damage sustained in the hull, spars, and rigging of the ship. . . .

With great respect, I have the honor to be, sir, your obedient servant

James Barron

57. "Mr. Clay's war," December 31, 1811

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Jefferson and Madison attempted to meet the British and French aggressions by the "peaceful war" of embargo and non-intercourse acts. It was Henry Clay, Speaker of the twelfth Congress, and his band of "war-hawks" who forced the hand of the administration. The following extract is from the official report of Clay's speech of December 31, 1811, on the bill to increase the army of the United States:

Mr. C. [Clay] proceeded more particularly to inquire into the object of the force. That object, he understood, to be war, and war with Great Britain. . . . What are we to gain by war, has been emphatically asked. In reply, he would ask, what are we

not to lose by peace? — commerce, character, a nation's best treasure, honor! If pecuniary considerations alone are to govern, there is sufficient motive for the war. Our revenue is reduced, by the operation of the belligerent edicts, to about six million of dollars, according to the Secretary of the Treasury's report. The year preceding the embargo [1807] it was sixteen. Take away the Orders in Council, it will again mount up to sixteen millions. By continuing, therefore, in peace, if the mongrel state in which we are deserves that denomination, we lose annually, in revenue only, ten millions of dollars. Gentlemen will say, repeal the law of non-importation. He contended that, if the United States were capable of that perfidy, the revenue would not be restored to its former state, the Orders in Council continuing. Without an export trade, which those orders prevent, inevitable ruin would ensue, if we imported as freely as we did prior to the embargo. A nation that carries on an import trade without an export trade to support it, must, in the end, be as certainly bankrupt as the individual would be, who incurred an annual expenditure without an income.

He had no disposition to swell, or dwell upon the catalogue of injuries from England. He could not, however, overlook the impressment of our seamen; an aggression upon which he never reflected without feelings of indignation, which would not allow him appropriate language to describe its enormity. Not content with seizing upon all our property, which falls within her rapacious grasp, the personal rights of our countrymen — rights which forever ought to be sacred, are trampled upon and violated. . . . We are required to bear the actual cuffs of her [England's] arrogance that we may escape a chimerical French subjugation. We are invited, conjured to drink the potion of British poison actually presented to our lips, that we may avoid the imperial [Napoleon's] dose prepared by perturbed imaginations. We are called on to submit to debasement, dishonor, and disgrace — to bow the neck to royal insolence, as a course of preparation for manly resistance to Gallic invasion! What nation, what individual was ever taught, in the schools of ignominious submission, the patriotic lessons of freedom and independence? . . . It was not by submission that our fathers achieved our independence. The

patriotic wisdom that placed you, Mr. Chairman, said Mr. C., under that canopy, penetrated the designs of a corrupt ministry, and nobly fronted encroachment on its first appearance. It saw beyond the petty taxes, with which it commenced, a long train of oppressive measures terminating in the total annihilation of liberty. . . . For, sir, the career of encroachment is never arrested by submission. It will advance while there remains a single privilege on which it can operate.

Gentlemen say that this government is unfit for any war, but a war of invasion. What, is it not equivalent to an invasion, if the mouths of our harbors and outlets are blocked up, and we are denied egress from our own waters? Or when the burglar is at our door, shall we bravely sally forth and repel his felonious entrance, or meanly skulk within the cells of the castle?

He contended that the real cause of British aggression, was not to distress an enemy but to destroy a rival. . . . She [England] sickens at your prosperity, and beholds in your growth — your sails spread on every ocean, and your numerous seamen — the foundations of a power, which at no very distant day is to make her tremble for naval superiority. . . .

It is said that the effect of the war at home will be a change in those who administer the Government, who will be replaced by others, who will make a disgraceful peace. He did not believe it. . . . He was one, however, who was prepared . . . to march on in the road of his duty, at all hazards. What! shall it be said that our *amor patriae* is located at these desks — that we pusillanimously cling to our seats here, rather than boldly vindicate the most inestimable rights of the country?

58. Madison's war message, June 1, 1812 [219]

After an explicit statement by the British minister in May, 1812, that "Great Britain would not recede from its policy toward neutrals," that is, would not cease to stop and search American merchant ships on the high seas, Madison sent a confidential message to Congress, in which he reviewed the outrages of Great Britain on our commerce, ever since the renewal of her war with Napoleon in 1803, and recounted the vain efforts made

by this government to come to an honorable agreement. The message concludes:

Such is the spectacle of injuries and indignities which have been heaped upon our country; and such the crisis which its unexampled forbearance and conciliatory efforts have not been able to avert. It might at least have been expected, that an enlightened nation, if less urged by moral obligations, or invited by friendly disposition on the part of the United States, would have found, in its true interest alone, a sufficient motive to respect their rights and their tranquillity on the high seas; that an enlarged policy would have favored that free and general circulation of commerce in which the British nation is at all times interested, and which, in times of war, is the best alleviation of its calamities to herself, as well as to other belligerents; and, more especially, that the British Cabinet would not, for the sake of a precarious and surreptitious intercourse with hostile markets, have persevered in a course of measures which necessarily put at hazard the invaluable market of a great and growing country, disposed to cultivate the mutual advantages of an active commerce.

Other councils have prevailed. Our moderation and conciliation have had no other effect than to encourage perseverance and to enlarge pretensions. We behold our sea-faring citizens still the daily victims of lawless violence, committed on the great and common highway of nations, even within sight of the country which owes them protection. We behold our vessels, freighted with the products of our soil and industry, or returning with the honest proceeds of them, wrested from their lawful destinations, confiscated by prize courts, no longer the organs of public law, but the instruments of arbitrary edicts, and their unfortunate crews dispersed and lost, or forced or inveigled in British ports into British fleets, whilst arguments are employed in support of these aggressions, which have no foundation but in a principle equally supporting a claim to regulate our external commerce in all cases whatsoever.

We behold, in fine, on the side of Great Britain, a state of war against the United States; and on the side of the United States, a state of peace towards Great Britain.

Whether the United States shall continue passive under these progressive usurpations, and these accumulating wrongs, or, opposing force to force in defence of their natural rights, shall commit a just cause into the hands of the Almighty Disposer of events, avoiding all connexions which might entangle it in the contests or views of other Powers, and preserving a constant readiness to concur in an honorable re-establishment of peace and friendship, is a solemn question, which the Constitution wisely confides to the Legislative Department of the Government. In recommending it to their early deliberations, I am happy in the assurance, that the decision will be worthy the enlightened and patriotic councils of a virtuous, a free, and a powerful nation. . . .

James Madison

PART IV. NATIONAL *VERSUS* SECTIONAL INTERESTS

PART IV. NATIONAL *VERSUS* SECTIONAL INTERESTS

CHAPTER VIII

THE GROWTH OF A NATIONAL CONSCIOUSNESS

"The Era of Good Feeling"

59. The Supreme Court and the Constitution, 1816–1824

The following extracts from decisions of the Supreme Court, rendered by Chief Justice Marshall and Justice Story, in the cases of Martin *vs.* Hunter's Lessee (1816), McCulloch *vs.* Maryland (1819), and Gibbons *vs.* Ogden (1824), illustrate how judicial interpretation of the Constitution stretched the meaning of the simple language of its clauses, much to the alarm and indignation of the "strict constructionists" of Jefferson's following. [233]

The Constitution of the United States was ordained and established, not by the states in their sovereign capacities, but emphatically, as the preamble of the Constitution declares, by "the people of the United States." There can be no doubt that it was competent to the people to invest the general government with all the powers which they might deem proper and necessary; to extend or restrain these powers according to their own good pleasure, and to give them a paramount and supreme authority. As little doubt can there be, that the people had a right to prohibit to the states the exercise of any powers which were, in their judgment, incompatible with the objects of the general compact. . . . The Constitution was not, therefore, necessarily carved out of existing state sovereignties, nor a surrender of powers already existing in state institutions, for the powers of the states depend on their own constitutions; and

the people of every state had the right to modify and restrain them, according to their own views of policy and principle. . . .

The government, then of the United States, can claim no powers which are not granted to it by the Constitution. . . . On the other hand, this instrument, like every other grant, is to have a reasonable construction, according to the import of its terms. . . . The Constitution unavoidably deals in general language. It did not suit the purposes of the people, in framing this great charter of our liberties, to provide for minute specifications of its powers. . . . [It] was not intended to provide merely for the exigencies of a few years, but was to endure through a long lapse of ages. . . . It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter. . . . Hence its powers are expressed in general terms. . . .

It is a mistake that the Constitution was not designed to operate upon states in their corporate capacities. It is crowded with provisions which restrain or annul the sovereignty of the states in some of the highest branches of their prerogatives. The tenth section of the first article contains a long list of disabilities and prohibitions imposed on the states. . . . When therefore, the states are stripped of some of the highest attributes of sovereignty, and the same are given to the United States; when the legislatures of the states are, in some respects, under the control of Congress . . . it is certainly difficult to support the argument that the appellate power over the decisions of state courts is contrary to the genius of our institutions. . . .

We admit, as all must admit, that the powers of the government are limited, and that its limits are not to be transcended. But we think the sound construction of the Constitution must allow to the national legislature that discretion with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it, in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate . . . are constitutional.

If we apply the principle for which the State of Maryland contends, to the Constitution generally, we shall find it capable of changing totally the character of that instrument. We shall find it capable of arresting all the measures of the government, and of prostrating it at the foot of the States. The American people have declared their Constitution, and the laws made in pursuance thereof, to be supreme; but this principle would transfer the supremacy, in fact, to the States. If the States may tax one instrument employed by the government in the execution of its powers, they may tax any and every other instrument. They may tax the mail; they may tax the mint; they may tax patent rights; they may tax the papers of the custom-house. . . . This was not intended by the American people. They did not design to make their government dependent on the States. . . .

The Court has bestowed on this subject its most deliberate consideration. The result is a conviction that the States have no power, by taxation or otherwise, to retard, impede, burden, or in any manner control the operations of the constitutional laws enacted by Congress to carry into execution the powers vested in the general government. . . . We are unanimously of the opinion, that the law passed by the legislature of Maryland, imposing a tax on the Bank of the United States, is unconstitutional and void. . . .

The acts of New York must yield to the laws of Congress; and the decision sustaining the privilege they confer, against a right given by a law of the Union, must be erroneous.

This opinion has been frequently expressed in this Court, and is founded as well on the nature of the government as on the words of the Constitution. . . . The nullity of any act inconsistent with the Constitution, is produced by the declaration, that the Constitution is the supreme law; . . . and the law of the State, though enacted in the exercise of powers not controverted, must yield to it.

Thomas Jefferson, in a letter to his friend Thomas Ritchie, protests against what he considers a dangerous usurpation of power by the Supreme Court:

Monticello, Dec. 25, 1820

. . . The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our constitution from a coördination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in the English law to forget the maxim *boni judicis est ampliare jurisdictionem*.[1] . . . Having found, from experience, that impeachment is an impracticable thing, a mere scare-crow, they consider themselves secure for life;[2] they skulk from responsibility to public opinion. . . . An opinion is huddled up in conclave, perhaps by a majority of one, delivered as if unanimous, and with the silent acquiescence of lazy or timid associates, by a crafty chief judge, who sophisticates the law to his mind, by the turn of his own reasoning. A judiciary law was once reported by the Attorney-General to Congress, requiring each judge to deliver his opinion *seriatim* [in order] and openly, and then to give it in writing to the clerk to be entered in the record. A judiciary independent of a king or executive alone, is a good thing; but independence of the will of the nation is a solecism, at least in a republican government. . . .

I hope our political bark will ride through all its dangers; but I can in future be but an inert passenger.

I salute you with sentiments of great friendship and respect.

Thos Jefferson

[1] "It is the business of a good judge to extend his jurisdiction."

[2] Jefferson is here alluding to the case of Supreme Court Justice Samuel Chase of Maryland, one of the signers of the Declaration of Independence, and a very ardent Federalist, who was impeached by the Republican House in 1804–1805 for his unblushing partisanship on the bench. He was acquitted. In a letter to James Pleasants, December 26, 1821, Jefferson suggests that the Supreme Court judges be appointed only for a six-year term, "with a re-appointmenability by the President with the approbation of *both* houses," impeachment being "a bugbear which they fear not at all." — Jefferson, Writings, ed. P. L. Ford, Vol. X, pp. 198–199.

The Monroe Doctrine

General Jackson's zealous prosecution of the campaign against the hostile combination of Indians, escaped negroes, Spaniards, and half-breeds in Florida, at the close of the War of 1812, brought a spirited protest from the Spanish minister at Washington, Don Luis de Onis, and committed our State Department to the firm and exacting policy which forced Spain to surrender Florida to us by the treaty of 1819. A proclamation of Major Muhlenberg's to the Indians and extracts from de Onis' protest and John Quincy Adams' ultimatum to our minister Erving at Madrid follow.

60. The Florida dispute, 1816–1819

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Spanish Bluff, Nov. 28, 1817

Chiefs and Warriors:

The President of the United States has been informed of the murders and thefts committed by the hostile Indians in this part of the country. He has authorized General Jackson to arrest the offenders, and cause justice to be done. The Indians have been required to deliver up the murderers of our citizens, and the stolen property, but they refused to deliver either; they have had a council at Mickasukee in which they have determined on war; they have been at war on helpless women and children, let them now calculate upon fighting men. We have long known that we had enemies east of this river; we likewise know we have some friends; but they are so mixed together we cannot always distinguish the one from the other. The President, wishing to do justice to his red friends and children, has given orders for the bad to be separated from the good. Those who have taken up arms against him, and such as have listened to the bad talks of the people beyond the sea [English agents], must go to Mickasukee Suwany, where we wish to find them together. But all those who were our friends in the war will sit at their homes in peace; we will pay them for what corn and meat they have to sell us; we will be their friends, and when they are hungry we will give them meat. The hostile

party pretend to calculate on help from the British! They may as well look for soldiers from the moon to help them. Their warriors were beaten and driven from our country by American troops. The English are not able to help themselves; how then should they help the old "Red Sticks," whom they have ruined by pretended friendship?

Washington, Dec. 12, 1818

SIR:

. . . With respect to the conduct of General Jackson in the invasion of Florida, and the excesses committed there in violation of the sovereignty and dignity of a friendly Power, as they are public and notorious, and sufficiently reprobated by public opinion . . . I abstain from answering the arguments by which you have endeavored to justify that officer in the note I have the honor to reply to. Whatever may be the causes which, in the view of your Government, justified the war against the Seminoles, you cannot fail to admit how improbable it is that those miserable Indians, feeble and wholly destitute as they are, could have provoked it. In the letter of the chief Boleck to the Governor of St. Augustine, of the 20th December, 1816, a copy of which I had the honor to transmit to you on the 27th March last, you must have remarked that he speaks of assassinations, carrying off of men and cattle, usurpations of his territory, and even forging of treaties for the cession of lands, signed or marked by the names of persons unknown to the chiefs of the Creek nation, who, he adds, are alone authorized to transfer the general property; of all of which he accuses the Americans. Besides, the friendship and good understanding existing between the two nations . . . decisively required that any complaints which there might be against the Indians should be laid before His Majesty's Government [Spain], or before his Minister near this Republic, previous to the adoption of violent measures; as it was scarcely possible that those excesses could be restrained by His Majesty so long as he remained ignorant of them. . . .

The unquestionable fact is, that General Jackson, at the head of his army, fell upon Florida as a haughty invader and conqueror, regardless of the laws of humanity and the feelings of nature, and put to death two foreigners, who there enjoyed the

protection of Spain, and an asylum which has ever been held sacred by all civilized nations; thereby offering an unexampled insult to the sovereignty and independence of Spain; trampling under foot the most solemn compacts, founded on the laws of nations; and contemptuously driving from that province the Spanish commandants and troops in garrison there. . . .

Luis de Onis

A fortnight before de Onis presented the above note to our State Department, Secretary Adams had dispatched to our minister at Madrid, George W. Erving, his famous letter of instructions which was tantamount to an ultimatum to Spain.[1] After "reminding the government of his Catholic Majesty of the incidents in which this Seminole war originated," and "giving the Spanish cabinet some precise information of the nature of the business" in which Spain's "allies" were engaged when they were interrupted by General Jackson, Mr. Adams continues:

After the repeated expostulations, warnings, and offers of peace, through the summer and autumn of 1817, on the part of the United States, had been answered only by renewed outrages, and after a detachment of forty men under Lieutenant Scott, accompanied by seven women, had been waylaid and murdered by the Indians, orders were given to General Jackson,

[1] It is interesting to compare with the high tone assumed towards Spain the real feeling of the President and of Secretary Adams in the Florida affair. Adams records in his "Memoirs," under the date of November 23, 1818: "The President returned me the draft of a letter to Onis, with some alterations which he suggested as necessary. He thought, among other things, that I had gone too far in the justification of Jackson's proceedings in Florida. He says he is decidedly of opinion that these proceedings have been attended with good results, and that they were in the main justifiable. But they were certainly not contemplated in any of the instructions given to Jackson. He also thinks that the ultimate and deliberate opinion of the public will not entirely justify Jackson, in which opinion I entirely concur." — Memoirs of John Quincy Adams, Vol. IV, p. 176.

and an adequate force was placed at his disposal to terminate the war. It was ascertained that the Spanish force in Florida was inadequate for the protection even of the Spanish territory itself against this mingled horde of lawless Indians and negroes; and although their devastations were committed within the limits of the United States, they immediately sought refuge within the Florida line, and there only were to be overtaken. . . . There it was that the American commander met the principal resistance from them; there it was that were found the still bleeding scalps of our citizens, freshly butchered by them. . . . But it was not anticipated by this Government that the commanding officers of Spain in Florida, whose especial duty it was, in conformity to the solemn engagements contracted by their nation, to restrain by force those Indians from hostilities against the United States [by the treaty of 1795], would be found encouraging, aiding, and abetting them, and furnishing them supplies for carrying on such hostilities. The officer in command immediately before General Jackson was, therefore, specially instructed to respect, as far as possible, the Spanish authority, wherever it was maintained; and copies of these orders were also furnished to General Jackson, upon his taking the command.

In the course of his pursuit, as he approached St. Mark's, he was informed direct from the Governor of Pensacola that a party of the hostile Indians had threatened to seize that fort, and that he apprehended the Spanish garrison there was not in strength sufficient to defend it against them. This information . . . proved to have been exactly true. By all the laws of neutrality and of war, as well as of prudence and of humanity, he was warranted in anticipating his enemy by the amicable, and, that being refused, by the forcible occupation of the fort. There will need no citations from printed treatises on international law to prove the correctness of this principle. It is engraved in adamant on the common sense of mankind. . . .

On the approach of General Jackson to Pensacola, the governor sent him a letter denouncing his entry upon the territory of Florida as a violent outrage on the rights of Spain, commanding him to depart and withdraw from the same, and threatening, in case of his non-compliance, to employ force to expel him.

It became, therefore, in the opinion of General Jackson, indispensably necessary to take from the Governor of Pensacola the means of carrying his threat into execution. . . . He took possession therefore of Pensacola and of the fort of Barrancas, as he had done of St. Mark, not in a spirit of hostility to Spain, but as a necessary measure of self-defence; giving notice that they should be restored whenever Spain should place commanders and a force there able and willing to fulfil the engagements of Spain towards the United States, or of restraining by force the Florida Indians from hostilities against their citizens. . . . The obligation of Spain to restrain, *by force*, the Indians of Florida from hostilities against the United States and their citizens, is explicit, is positive, is unqualified. The fact that for a series of years they have received shelter, assistance, supplies, and protection in the practice of such hostilities, from the Spanish commanders in Florida is clear and unequivocal. If, as the commanders both at Pensacola and St. Mark's have alleged, this has been the result of their weakness rather than of their will; if they have assisted the Indians against the United States to avert their hostilities from the province which they had not sufficient force to defend against them, it may serve in some measure to exculpate, individually, those officers; but it must carry demonstration irresistible to the Spanish Government, that the right of the United States can as little compound with impotence as with perfidy, and that Spain must immediately make her election, either to place a force in Florida adequate at once to the protection of her territory, and to the fulfilment of her engagements, or cede to the United States a province, of which she retains nothing but the nominal possession, but which is, in fact, a derelict open to the occupancy of every enemy, civilized or savage, of the United States. . . .

You are authorized to communicate the whole of this letter, and the accompanying documents, to the Spanish Government. I have the honor, etc., etc.

John Quincy Adams

The famous paragraphs in President Monroe's seventh annual message to Congress, December 2, 1823, which

61. The Monroe Doctrine, December 2, 1823

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announced the policy of the United States in regard to the interference of the European powers in the affairs of this continent, either for the acquisition of new colonies or for the disturbance of existing governments, have gained an added interest in the last few decades, by reason both of our entrance into the ranks of the great naval powers which have conquered and colonized distant lands, and of our increasing concern in the fortunes of the republics of Central and South America. Although the Monroe Doctrine is the only official pronouncement in our history that bears the name of a president, it was not Monroe's, nor any other man's, doctrine. It was simply a clear statement, at a critical moment, of our policy, asserted repeatedly from the days of Washington down, to keep America as remote as possible from the complicated quarrels of the courts of Europe.

A precise knowledge of our relations with foreign powers as respects our negotiations and transactions with each is thought to be particularly necessary. Equally necessary is it that we should form a just estimate of our resources, revenue, and progress in every kind of improvement connected with the national prosperity and public defense. It is by rendering justice to other nations that we may expect it from them. It is by our ability to resent injuries and redress wrongs that we may avoid them. . . .

At the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg, to arrange by amicable negotiation the respective rights and interests of the two nations on the north-west coast of this continent. . . . In the discussions to which this interest has given rise and in the arrangements by which they may terminate the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents,

by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers. . . .

It was stated at the commencement of the last session that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been so far very different from what was then anticipated.[1] Of events in that quarter of the globe, with which we have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparations for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers[2] is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments: and to the

[1] In the midsummer of 1822 the revolutionists of Spain had gotten the upper hand and compelled the absolute Bourbon king, Ferdinand VII, to acknowledge a constitutional régime. Then French forces under the Duke of Angoulême invaded Spain (April, 1823) and restored the absolute king in a violent civil war. Riego, the leader of the revolutionists, was hung from a gallows forty feet high, just a few days before Monroe sent his message (November 7, 1823).

[2] The Holy Alliance was concluded between the sovereigns of Austria, Prussia, and Russia in 1815 for the alleged purpose of ruling the peoples whom they were "delegated by Providence to govern" according to the "principles which the Divine Savior has taught to mankind." Three years later, however, these sovereigns embarked on the policy of armed intervention in the other states of Europe for the sake of quelling rebellions and supporting "legitimate" thrones. The fear that they would extend their operations to restore the authority of Spain in the American republics called forth the Monroe Doctrine.

defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it therefore to candor and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition towards the United States. . . .

Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. . . .

CHAPTER IX

SECTIONAL INTERESTS

Facing Westward

62. British opinions of America, 1820–1837

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In the two decades following our second war with England, when the land between the Alleghenies and the Mississippi was rapidly filling up, America was most conspicuously a pioneer community. Social amenities, polished manners, literary and artistic ambitions were all in abeyance before the stern necessity of coping with the actual physical task of building a home, a city, an empire of the West. Our many British visitors and critics in this period judged our pioneer community harshly — the more harshly, perhaps, as it supplemented a rather breezy confidence in Yankee push and shrewdness with the boastful, persistent reminder that America had twice brought Great Britain to treat for peace. In a review of Adam Seybert's "Statistical Annals of the United States," published at Philadelphia in 1818, Sydney Smith writes in the *Edinburgh Review* for January, 1820:

> Jonathan must not grow vain and ambitious; or allow himself to be dazzled by that galaxy of epithets by which his orators and newspaper scribblers endeavor to persuade their supporters that they are the greatest, the most refined, the most enlightened, and the most moral people upon earth. The effect of this is unspeakably ludicrous on this side of the Atlantic — and even on the other, we should imagine, must be rather humiliating to the reasonable part of the population. The Americans are a brave, industrious, and acute people; but they have hitherto

given no indications of genius, and made no approaches to the heroic, either in their morality or character. They are but a recent offset, indeed, from England; and should make it their chief boast, for many generations to come, that they are sprung from the same race with Bacon and Shakespeare and Newton. Considering their numbers, indeed, and the favorable circumstances in which they have been placed, they have yet done marvellously little to assert the honor of such a descent, or to show that their English blood has been exalted or refined by their republican training and institutions. Their Franklins and Washingtons, and all the other sages and heroes of their revolution, were born and bred subjects of the King of England, — and not among the freest or most valued of his subjects. And, since the period of their separation, a far greater proportion of their statesmen and artists and political writers have been foreigners, than ever occurred before in the history of any civilized and educated people. During the thirty or forty years of their independence, they have done absolutely nothing for the Sciences, for the Arts, for Literature, or even for the statesman-like studies of Politics or Political Economy. . . .

In the four quarters of the globe, who reads an American book? or goes to an American play? or looks at an American picture or statue? What does the world yet owe to American physicians or surgeons? What new substances have their chemists discovered, or what old ones have they analyzed? What new constellations have been discovered by the telescopes of Americans? — What have they done in the mathematics? Who drinks out of American glasses? or eats from American plates? or wears American coats or gowns? or sleeps in American blankets? — Finally, under which of the old tyrannical governments of Europe is every sixth man a Slave, whom his fellow-creatures may buy and sell and torture?

When these questions are fairly and favorably answered, their laudatory epithets may be allowed: But, till that can be done, we would seriously advise them to keep clear of superlatives.

One of our most unsparing critics was Mrs. F. M. Trollope, an English novelist and mother of the more famous

Anthony Trollope, who lived three years (1828–1831) in the new town of Cincinnati, "the western limit of our civilization." Mrs. Trollope found the people among whom she lived harsh, uncouth, unfeeling, conceited, boastful, tricky, and sanctimonious.[1] Her stay in America confirmed her in the aristocratic faith that "the advantages of life are on the side of those who are governed by the few," and that "degradation invariably follows the wild scheme of placing all the power of the State in the hands of the populace."

My general appellation amongst my neighbors was "the English old woman," but in mentioning each other they constantly employed the term "lady"; and they evidently had a pleasure in using it, for I repeatedly observed, that in speaking of a neighbor, instead of saying Mrs. Such-a-one, they described her as "the lady over the way what takes in washing," or as "that there lady, out by the gully, what is making dip-candles." . . . Our respective titles certainly were not very important; but the eternal shaking hands with these ladies and gentlemen was really an annoyance, and the more so, as the near approach of the gentlemen was always redolent of whiskey and tobacco.

But the point where this republican equality was the most distressing was in the long and frequent visitations that it produced. No one dreams of fastening a door in Western America; I was told that it would be considered as an affront by the whole neighborhood. I was thus exposed to perpetual, and most vexatious interruptions from people whom I had often never seen, and whose names still oftener were unknown to me. . . . If it was a female, she took off her hat; if a male, he kept it on, and then taking possession of the first chair in their way, they would retain it for an hour together, without uttering another word; at

[1] Charles Dickens, in "Martin Chuzzlewit," paints a very unflattering picture of western American society (1844). "One might almost fancy," says H. T. Peck in his introduction to Mrs. Trollope's memoirs, "that Mrs. Trollope's descriptions are the material from which the more highly colored pictures of Dickens were elaborated."

length, rising abruptly, they would again shake hands, with, "Well, now I must be going, I guess," and so take themselves off, apparently well contented with their reception. . . .

There was one man whose progress in wealth I watched with much interest and pleasure. When I first became his neighbor, himself, his wife, and four children were living in one room, with plenty of beef-steaks and onions for breakfast, dinner, and supper, but with very few other comforts. He was one of the finest men I ever saw, full of natural intelligence and activity of mind and body, but he could neither read nor write. . . . I have no doubt that every sun that sets sees him a richer man than when it rose. He hopes to make his son a lawyer; and I have little doubt that he will live to see him sit in Congress. When this time arrives, the wood-cutter's son will rank with any other member of Congress, not of courtesy, but of right. . . .

This is the only feature in American society that I recognize as indicative of the equality they profess. Any man's son may become the equal of any other man's son; and the consciousness of this is certainly a spur to exertion: on the other hand it is also a spur to that coarse familiarity, untempered by any shadow of respect, which is assumed by the grossest and the lowest in their intercourse with the highest and most refined. This is a positive evil, and, I think, more than balances its advantages. . . .

In reading Capt. Hall's volumes on America,[1] the observation which, I think, struck me the most forcibly . . . was the following: "In all my travels both amongst Heathens, and amongst Christians, I never encountered any people by whom I found it nearly so difficult to make myself understood as by the Americans." . . . It is less necessary, I imagine, for the mutual understanding of persons conversing together, that the language should be the same, than that their ordinary mode of thinking, and habits of life, should, in some degree, assimilate; whereas, in point of fact, there is hardly a single point of sympathy between the Americans and us. . . . Herein, I think rests the only apology for the preposterous and undignified anger felt and expressed against Capt. Hall's work. They really cannot, even if they

[1] Captain Basil Hall, Travels in North America in the Years 1827 and 1828, 3 vols. Edinburgh, 1827.

wished it, enter into any of his views or comprehend his most ordinary feelings; and therefore they cannot believe in the sincerity of the impressions he describes.

A more sympathetic, if not much more favorable, view of Americans is presented by the indefatigable traveler and novelist, Captain Marryat, who visited us in 1837:

The Americans are often themselves the cause of their being misrepresented; there is no country perhaps in which the habit of deceiving for amusement, or what is termed hoaxing, is so common. Indeed this and hyperbole constitute the major part of American humor. If they have the slightest suspicion that a foreigner is about to write a book, nothing appears to give them so much pleasure as to try to mislead him. . . . When I was at Boston, a gentleman of my acquaintance brought me Miss Martineau's work,[1] and was excessively delighted when he pointed out to me two pages of fallacies, which he had told her with a grave face and which she had duly recorded and printed. . . .

Another difficulty and cause of misrepresentation is, that travellers are not aware of the jealousy existing between the inhabitants of the different states and cities. The eastern states pronounce the southerners to be choleric, reckless, regardless of law and indifferent to religion; while the southerners designate the eastern states as a nursery of overreaching pedlars, selling clocks and wooden nutmegs. . . . Boston turns up her erudite nose at New York; Philadelphia in her pride looks down on both New York and Boston; while New York, chinking her

[1] Harriet Martineau, Society in America, 3 vols. London, 1837. Capt. Marryat cut from a New York newspaper in 1837 this notice: "That old deaf English maiden lady, Miss Martineau, who travelled through some of the States a few years since, gives a full account of Mr. Poindexter's death; unfortunately for her veracity, the gentleman still lives; but this is about as near the truth as the majority of her statements. The *Loafing* English men and women who visit America, as penny-a-liners, are perfectly understood here, and Jonathan amuses himself whenever he meets them, by imposing upon their credulity the most absurd stories which he can invent, which they swallow whole, go home with their eyes sticking out of their heads with wonder, and print all they have heard for the benefit of John Bull's calves."

dollars, swears the Bostonians are a parcel of puritanical prigs, and the Philadelphians a would-be aristocracy. A western man from Kentucky, when at the Tremont House in Boston, begged me particularly not to pay attention to what they said of his state in that quarter. Both a Virginian and Tennesseean, when I was at New York did the same. . . .

America is a wonderful country, endowed by the Omnipotent with natural advantages which no other can boast of; and the mind can hardly calculate upon the degree of perfection and power to which, whether the States are eventually separated or not, it may in the course of two centuries arrive. At present all is energy and enterprise. . . . If I were to draw a comparison between the English and the Americans, I should say that there is almost as much difference between the two nations at this present time, as there has long been between the English and the Dutch. The latter are considered by us as phlegmatic and slow; and we may be considered the same compared with our energetic descendants. Time to an American is everything, and space he attempts to reduce to a mere nothing. . . . "Go ahead!" is the real motto of the country. . . . The American lives twice as long as others; for he does twice the work during the time that he lives. . . . He rises early, eats his meals with the rapidity of a wolf, and is the whole day at his business. If he be a merchant, his money, whatever it amount to is seldom invested; it is all floating — his accumulations remain active; and when he dies, his wealth has to be collected from the four quarters of the globe. . . . Each man would surpass his neighbour; and the only great avenue open to all, and into which thousands may press without much jostling of each other, is that which leads to the shrine of Mammon.

63. The river trade of New Orleans, 1816–1840

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There is no more accurate gauge of the prosperity of our Middle West in the period under consideration than the statistics of commerce on the great Mississippi River system. During the first half of the nineteenth century, when transportation in America was based on the waterways, New Orleans became the queen city of commerce in the South, as New York did in the North. The report of 1887 on

the internal commerce of the United States thus reviews the trade of New Orleans:

The receipts of New Orleans during the first year of successful steam navigation, 1816, amounted in value to $8,062,540. . . . This is independent of the produce raised in Louisiana, such as cotton, corn, indigo, molasses, rice, sugar, tafia or rum, and lumber. These were brought to the market in the planters' crafts, and often taken from the plantation direct in foreign-bound vessels. . . . The value of the receipts shows to what extent the produce of the West passed through New Orleans. Cotton, which in later days rose to be 60 or even 75 per cent. in value of all the receipts, was then barely 12 per cent. At least 80 per cent. of the articles came from the West, that is from the Ohio, and the Upper Mississippi, above the Ohio. They represented the surplus products of the Mississippi Valley, for but little found any other exit to market. Much of the product shipped from the West to New Orleans was lost en route. A rough estimate places the loss from disasters, snags, etc. at 20 per cent. Many boats, moreover, stopped along the river on their way down to sell supplies to the planters. Thus at Natchez flour, grain, and pork were purchased from the Kentucky boats. From these losses the sales and shipments down the river in 1816, including the products of Louisiana, may be estimated at $13,875,000. The river traffic required 6 steam-boats, 594 barges, and 1287 flat-boats, of an actual tonnage of 87,670. . . .

During all this period [1816–1840], and despite all these difficulties, the number of arrivals at New Orleans and the amount of river business on the Lower Mississippi continued to steadily increase. The growth of the river traffic is well shown in this table:

Years	Arrivals of Steamboats	Tons of Freight	Value of Produce
1816–1817 . .		80,820	$8,773,379
1820–1821 . .	202	99,320	11,967,067
1825–1826 . .	608	193,300	20,446,320
1830–1831 . .	778	307,300	26,044,820
1835–1836 . .	1272	437,100	39,237,762
1840–1841 . .	1958	542,500	49,822,115

In regard to the steam-boats, it should be remembered that the steady increase in arrivals each year does not fully express the increase in tonnage, because the boats were not only growing more numerous, but were increasing in size each year, and thus while they doubled in number between 1825 and 1833, they more than trebled in their carrying capacity. . . .

As the first two decades of the century showed the settlement of the Ohio basin, and a rapid increase in population and production, so the next two resulted in the settlement of the Lower Mississippi region from Louisiana to the mouth of the Ohio. The removal of the Indian tribes to the Indian Territory, the building of levees and the immense increase in the demand for cotton, hastened the development of West Tennessee, Mississippi, Arkansas, and Northern Louisiana. . . .

It was during this period that the South first began to insist on the sovereignty of King Cotton, and New Orleans claimed, like Mahomet, to be its prophet. The rapid development of the cotton manufacturing industries in Europe incited the planters to devote more and more acres to it, and it became highly profitable to cultivate cotton even on credit. New Orleans was overflowing with money in those flush times, and lent it readily. . . . When the big collapse of 1837 came, the banks of New Orleans, with a circulation of $7,000,000 purported to have a capital of $34,000,000, a great majority of them being wrecked in the storm. Within a few years, however, New Orleans had recovered from the shock and strengthened its hold on the planters. . . .

That eminent statistical and economical authority, De Bow's Review, declared that "no city of the world has ever advanced as a mart of commerce with such gigantic and rapid strides as New Orleans." It was no idle boast. Between 1830 and 1840 no city of the United States kept pace with it. When the census was taken it was fourth in population, exceeded only by New York, Philadelphia, and Baltimore, and fourth in point of commerce of the ports of the world, exceeded only by London, Liverpool, and New York, being indeed but a short distance behind the latter city, and ahead of it in the export of domestic products.

The Favorite Sons

64. Jockeying for the presidential race, 1824

The following extracts from the diary of John Quincy Adams show how incessant were the combinations, intrigues, and deals between the political factions to win the presidential election of 1824. [258]

Jan. 30th [1824]. Colonel R. M. Johnson, Mr. R. King, and Mr. Fuller had long conversations with me concerning the movements of the parties here for the Presidential succession. Johnson says that Calhoun proposed to him an arrangement by which I should be supported as President, General Jackson as Vice-President, Clay to be Secretary of State, and he himself Secretary of the Treasury; not as a bargain or coalition, but by the common understanding of our mutual friends. I made no remark upon this, but it discloses the forlorn hope of Calhoun, which is to secure a step of advancement to himself, and the total exclusion of Crawford, even from his present office at the head of the Treasury. . . .

Feb'y 4th. I attended in the evening the drawing-room at the President's. On returning home I found J. W. Taylor at my house, and had a long conversation with him. He told me that Jesse B. Thomas, a Senator from Illinois, had strongly urged upon him the expediency of my acquiescing in the nomination as Vice-President, with Mr. Crawford for the Presidency. He said that Mr. Crawford would certainly be elected . . . that from the state of Mr. Crawford's health it was highly probable the duties of the Presidency would devolve upon the Vice-President . . . that a compliance with the views of Mr. Crawford's friends on this occasion would be rendering them a service which would recommend me to their future favor, and would doubtless secure my election hereafter to the Presidency. . . .

Feb'y 5th. At the office, Mr. Bradley of Vermont called, and told me that he had information from an undoubted source that there was a coalition between Clay and Calhoun. How far the friends of Jackson had entered into it he did not know, but the project for the Harrisburg Convention on the 4th of March

was to make up a ticket which would ultimately decide for Jackson, Clay, or Calhoun, according to circumstances, but excluding Crawford and me. . . .

March 19th. Johnson says Mr. Crawford's friends, particularly Governor Barbour, are very sanguine of his election, and entirely sure of the vote of New York. They consider all prospect of my being supported as having vanished, and that all New England will abandon me and vote for Crawford. I believe Mr. Crawford's prospects and mine equally unpromising. . . . Whether all New England will support me is yet problematical, and the rest is yet more uncertain. The issue must be where it ought to be, and my duty is cheerful acquiescence in the event. . . .

March 23d. The mining and countermining upon this Presidential election is an admirable study of human nature. The mist into which Calhoun's bubble broke settles upon Jackson, who is now taking the fragments of Clinton's party. Those of Clay will also fall chiefly to him and his sect, and Crawford's are now working for mine. They both consider my prospects as desperate, and are scrambling for my spoils. I can do no more than satisfy them that I have no purchasable interest. My friends will go over to whomsoever they may prefer. . . .

April 17th. At the office, Albert H. Tracy came, and had a conversation with me of nearly two hours, chiefly on the prospects of the Presidential election. He said there was a great and powerful party getting up for General Jackson as President in New York; that it could not possibly succeed, but that its probable effect would be to secure the electoral vote of the State to Mr. Crawford. . . .

May 15th. W. Plumer, a member from New Hampshire, was here this morning. . . . I told him that there was no person who could be substituted for Jackson to fill the Vice-Presidency. . . . He would be satisfied [!], and so would substantially his friends, to be Vice-President. . . . I said the Vice-Presidency was a station in which the General could hang no one, and in which he would need to quarrel with no one. His name and character would serve to restore the forgotten dignity of the place, and it would afford an easy and dignified retirement to his old age. . . .

When the choice of presidential electors in November failed to give a majority to any of the four principal candidates, the election of a president was thrown into the House of Representatives, and the electioneering was redoubled for capturing the votes of the states in the House.

Jan'y 9th [1825]. Mr. Clay came at six and spent the evening with me. . . . He said that the time was drawing near when the choice must be made in the House of Representatives of a President from the three candidates presented by the electoral colleges; that he had been much urged and solicited with regard to the part in that transaction that he should take. . . . He wished me, as far as I might think proper, to satisfy him with regard to some principles of great public importance, but without any personal considerations for himself. In the question to come before the House between General Jackson, Mr. Crawford, and myself, he had no hesitation in saying that his preference would be for me. . . .

Jan'y 29th. . . . [Mr. Clay's] own situation is critical and difficult. He is attacked with fury in the newspapers for having come out for me, and threats of violence have been largely thrown out by the partisans of General Jackson, particularly those of the Calhoun interest. Richard M. Johnson told me at the drawing-room last Wednesday that it had been seriously proposed to him, in the event of the failure of Jackson's election, to erect his standard; and I received this morning an anonymous letter from Philadelphia threatening organized opposition and civil war if Jackson is not chosen. This blustering has an air of desperation. But we must meet it. . . .

Feb'y 9th. May the blessing of God rest upon the event of this day! — the second Wednesday in February, when the election of a President of the United States for the term of four years, from the 4th of March next, was consummated. . . . The House of Representatives immediately proceeded to the vote by ballot from the three highest candidates, when John Quincy Adams received the votes of thirteen, Andrew Jackson of seven, and William H. Crawford of four states. The election was thus

completed, very unexpectedly, by a single ballot. . . . After dinner, the Russian Minister, Baron Tuyl, called to congratulate me on the issue of the election. I attended, with Mrs. Adams, the drawing-room at the President's. It was crowded to overflowing. General Jackson was there, and we shook hands. He was altogether placid and courteous. I received numerous friendly salutations. . . . I enclosed Mr. R. King's note, with a letter of three lines to my father, asking for his blessing and prayers on the event of this day, the most important day of my life, and which I would close as it began, with supplications to the Father of all mercies that its consequences may redound to His glory and to the welfare of my country. After I returned from the drawing-room, a band of musicians came and serenaded me at my house. It was past midnight when I retired. . . .

The elder Adams replied to his son's communication in the following touching letter:

Quincy, Mass., 18th February, 1825

I have received your letter of the 9th. Never did I feel so much solemnity as on this occasion. The multitude of my thoughts and the intensity of my feelings are too much for a mind like mine, in its ninetieth year. May the blessing of God Almighty continue to protect you to the end of your life, as it has heretofore protected you in so remarkable a manner from your cradle! I offer the same prayer for your lady and your family — and am

Your affectionate father,

John Adams

'An Era of Hard Feeling

65. Benton's plea for the occupation of Oregon, 1825 [262]

The most persistent advocate of westward expansion in the first half of the nineteenth century was Senator Thomas H. Benton of Missouri. In aggressive, almost truculent, language he maintained that neither Spain had any fair claim to Texas nor Great Britain to Oregon. In 1825, when the period of joint occupation provided by the

treaty of 1818 was drawing to a close, Benton brought a bill into the Senate, empowering the President to take possession of the Columbia valley and hold it as exclusive American territory. In defense of the bill (which received only fourteen votes) Benton said:

It is now, Mr. President, precisely two and twenty years since a contest for the Columbia has been going on between the United States and Great Britain. The contest originated with the discovery of the river itself. The moment that we discovered it she claimed it; and without a color of title in her hand, she has labored ever since to overreach us in the arts of negotiation, or to bully us out of our discovery by menaces of war.

In the year 1790 [1792] a citizen of the United States, Capt. Gray of Boston, discovered the Columbia at its entrance into the sea; and in 1803 Lewis and Clark were sent by the government of the United States to complete the discovery of the whole river from its source downward, and to take formal possession in the name of their government.[1] In 1793 Sir Alexander McKenzie had been sent from Canada by the British Government to effect the same object; but he missed the sources of the river, . . . and struck the Pacific about five hundred miles to the north of the mouth of the Columbia. . . .

The truth is, Mr. President, Great Britain has no color of title to the country in question. She sets up none. There is not a paper on the face of the earth in which a British minister has stated a claim. I speak of the King's ministers and not of the agents employed by them. The claims we have been examining are thrown out in the conversations and notes of diplomatic agents. No English minister has ever put his name to them, and no one will ever risk his character as a statesman by venturing to do so. The claim of Great Britain is nothing but a naked pretension founded on the double prospect of benefiting herself and injuring the United States. The fur trader,

[1] In Jefferson's instructions to Lewis, June 20, 1803, there is nothing about taking formal possession in the name of our government. See No. 55, p. 218.

Sir Alexander McKenzie, is at the bottom of this policy. Failing in his attempt to explore the Columbia River in 1793, he, nevertheless, urged upon the British Government the advantages of taking it to herself, and of expelling the Americans from the whole region west of the Rocky Mountains. The advice accorded too well with the passions and policy of that government to be disregarded. It is a government which has lost no opportunity, since the peace of '83, of aggrandizing itself at the expense of the United States. It is a government which listens to the suggestions of its experienced subjects, and thus an individual, in the humble station of a fur trader, has pointed out the policy which has been pursued by every Minister of Great Britain from Pitt to Canning, and for the maintenance of which a war is now menaced. . . .

I do not argue the question of title on the part of the United States, but only state it as founded upon — 1. Discovery of the Columbia River by Capt. Gray in 1790 [1792]; 2. Purchase of Louisiana in 1803; 3. Discovery of the Columbia from its head to its mouth by Lewis and Clark in 1803 [1805]; 4. Settlement of Astoria in 1811; 5. Treaty with Spain in 1819; 6. Contiguity and continuity of settlement and possession. Nor do I argue the question of the advantages of retaining the Columbia, and refusing to divide or alienate our territory upon it. I merely state them and leave their value to result from their enumeration. 1. To keep out a foreign power; 2. To gain a seaport with a military and naval station on the coast of the Pacific; 3. To save the fur trade in that region, and prevent our Indians from being tampered with by British traders; 4. To open a communication for commercial purposes between the Mississippi and the Pacific; 5. To send the light of science and of religion into eastern Asia.

The "Tariff of Abominations"

The passage of the Tariff of Abominations of May, 1828, brought from the legislature of South Carolina the following resolutions:

66. The protest of South Carolina against high tariff, 1828

Resolved: That it is expedient to protest against the unconstitutionality and oppressive operation of the system of protecting duties, and to have such protest entered on the Journals of the Senate of the United States — Also, to make a public exposition of our wrongs and of the remedies within our power, to be communicated to our sister States, with a request that they will coöperate with this State in procuring a repeal of the Tariff for protection, and an abandonment of the principle; and if the repeal be not procured, that they will coöperate in such measures as may be necessary for arresting the evil. [273]

Resolved: That a committee of seven be raised to carry the foregoing resolution into effect.

The special committee reported the famous "Exposition and Protest" from the pen of John C. Calhoun, vice president of the United States. The following extracts are taken from that part of the Exposition dealing with the economic evil of the tariff for the South:[1]

The committee have bestowed on the subjects referred to them the deliberate attention which their importance demands; and the result, on full investigation, is a unanimous opinion that the act of Congress of the last session, with the whole system of legislation imposing duties on imports, — not for revenue, but the protection of one branch of industry at the expense of others — is unconstitutional, unequal, and oppressive, and calculated to corrupt the public virtue and destroy the liberty of the country. . . .

The committee do not propose to enter into an elaborate or refined argument on the question of the constitutionality of the

[1] This economic danger had already been realized by leaders in the South. President Thomas Cooper of the College of South Carolina had written five years earlier (even before the tariff of 1824) to the Congressmen from his state: "Let the Southern States look to it! They are not threatened with a system of unjust and burthensome taxation merely: this is a trifle in the plan. They are threatened with the annihilation of their staple commodity — *not with taxation but destruction!*" — Thomas Cooper, Two Tracts on the Proposed Alteration of the Tariff, p. 27.

Tariff system. The General Government is one of specific powers, and it can rightfully exercise only the powers expressly granted. . . . It results, necessarily, that those who claim to exercise power under the Constitution, are bound to show that it is expressly granted, or that it is necessary and proper as a means to some of the granted powers. The advocates of the Tariff have offered no such proof. It is true that the third section of the first article of the Constitution authorizes Congress to lay and collect an impost duty, but it is granted as a tax power for the sole purpose of revenue, — a power in its nature essentially different from that of imposing protective or prohibitory duties. . . . The Constitution may be as grossly violated by acting against its meaning as against its letter. . . . The facts are few and simple. The Constitution grants to Congress the power of imposing a duty on imports for revenue, which power is abused by being converted into an instrument of rearing up the industry of one section of the country on the ruins of another. . . . It is, in a word, a violation by perversion, — the most dangerous of all because the most insidious and difficult to resist. . . .

On entering this branch of the subject, the committee feel the painful character of the duty which they must perform. They would desire never to speak of our country, as far as the action of the General Government is concerned, but as one great whole, having a common interest, which all the parts ought zealously to promote. Previously to the adoption of the Tariff system, such was the unanimous feeling of this State; but in speaking of its operation, it will be impossible to avoid the discussion of sectional interest, and the use of sectional language. On its authors, and not on us, who are compelled to adopt this course in self-defence, by injustice and oppression, be the censure.

So partial are the effects of the system, that its burdens are exclusively on one side and its benefits on the other. It imposes on the agricultural interest of the South, including the Southwest, and that portion of the country particularly engaged in commerce and navigation, the burden not only of sustaining the system itself, but that also of the Government. . . . That the

manufacturing States, even in their own opinion, bear no share of the burden of the Tariff in reality, we may infer with the greatest certainty from their conduct. The fact that they urgently demand an increase, and consider every addition as a blessing and a failure to obtain one as a curse, is the strongest confession that, whatever burden it imposes, in reality falls not on them, but on others. Men ask not for burdens, but benefits. . . .

Let us now trace the operation of the system in some of its prominent details, in order to understand, with greater precision, the extent of the burden it imposes on us, and the benefits which it confers, at our expense, on the manufacturing states. . . . The exports of domestic produce, in round numbers, may be estimated as averaging $53,000,000 annually; of which the States growing cotton, rice, and tobacco produce about $37,000,000. In the last four years, the average amount of the export of cotton, rice, and tobacco, exceeded $35,500,000; to which, if we add flour, corn, lumber, and other articles exported from the states producing the former, their exports cannot be estimated at a less sum than that stated. Taking it at that sum, the exports of the Southern or staple States, and other States, will stand as $37,000,000 to $16,000,000 — or considerably more than the proportion of two to one; while their population, estimated in federal numbers, is the reverse; the former sending to the House of Representatives but 76 members, and the latter 137. It follows that about one third of the Union exports more than two thirds of the domestic products. . . . The Government is supported almost exclusively by a tax on this exchange, in the shape of an impost duty, and which amounts annually to about $23,000,000. Previous to the passage of the act of the last session, this tax averaged about 37½ per cent. on the value of exports. . . . The present duty [averages] at least 45 per cent., which on $37,000,000, the amount of our share of the exports, will give the sum of $16,650,000 as our share of the contribution to the general Treasury. . . .

What becomes of so large an amount of the products of our labor placed, by the operation of the system, at the disposal of Congress? One point is certain, — a very small share returns to us, out of whose labor it is extracted. It would require much

investigation to state, with precision, the proportion of the public revenue disbursed annually in the Southern, and other States respectively; but the committee feel a thorough conviction . . . that a sum of much less than two million dollars falls to our share of the disbursements; and that it would be a moderate estimate to place our contribution, above what we receive back, through all of the appropriations, at $15,000,000; constituting to that great amount, an annual, continued, and uncompensated draft on the industry of the Southern States, through the Custom-House alone.

CHAPTER X

"THE REIGN OF ANDREW JACKSON"

Nullification

Two of the scores of foreigners who have visited our country and written of our society and institutions stand out conspicuous for the accuracy, sympathy, and justice of their remarks. One of these men is the recent English ambassador to the United States, James Bryce (now Lord Dechmont), author of "The American Commonwealth"; the other, a young Frenchman, Alexis de Tocqueville, who visited us in 1831, with a commission from the French government to study our prison system. De Tocqueville duly visited and reported upon the prisons (Sing Sing, Auburn, and others), but this part of his work was soon forgotten in the interest and enthusiasm aroused by his general treatise on "Democracy in America." At the close of a long section entitled "What are the chances of duration of the American Union, and what dangers threaten it?" De Tocqueville writes of the President:

67. Andrew Jackson, constitutional autocrat [277]

Some persons in Europe have formed an opinion of the influence of General Jackson upon the affairs of his country which appears highly extravagant to those who have seen the subject nearer at hand. We have been told that General Jackson has won battles; that he is an energetic man, prone by nature and habit to the use of force, covetous of power and a despot by inclination. All this may be true, but the inferences which have been drawn from these truths are very erroneous.

It has been imagined that General Jackson is bent on establishing a dictatorship in America, introducing a military spirit, and giving a degree of influence to the central authority which cannot but be dangerous to provincial [state] liberties. But in America the time for similar undertakings, and the age for men of this kind, is not yet come: if General Jackson had thought of exercising his authority in this manner, he would infallibly have forfeited his political station, and compromised his life, — he has not been so imprudent as to attempt anything of the kind.

Far from wishing to extend the Federal power, the President belongs to the party which is desirous of limiting that power to the clear and precise letter of the Constitution, and which never puts a construction upon that act [the Constitution] favorable to the [central] government of the Union; far from standing forth as the champion of centralization, General Jackson is the agent of the State jealousies [!]; and he was placed in this lofty station by the passions which are most opposed to the central government. It is by perpetually flattering those passions that he maintains his station and his popularity. General Jackson is the slave of the majority; he yields to its wishes, its propensities, and its demands — say, rather, anticipates and forestalls them.

Whenever the governments of the States come into collision with that of the Union, the President is generally the first to question his own rights, — he almost always outstrips the legislature; and when the extent of the Federal power is controverted, he takes part, as it were, against himself. . . . Not, indeed, that he is naturally weak or hostile to the Union; for when the majority decided against the claims of nullification, he put himself at their head, asserted the doctrines which the nation held distinctly and energetically, and was the first to recommend force; but General Jackson appears to me, if I may use the American expression, to be a Federalist by taste and a Republican by calculation.

General Jackson stoops to gain the favor of the majority; but when he feels that his popularity is secure, he overthrows all obstacles in the pursuit of the objects which the community approves, or of those which it does not regard with jealousy. Supported by a power which his predecessors never had, he

tramples on his personal enemies, whenever they cross his path, with a facility without example; he takes upon himself the responsibility of measures which no one before him would have ventured to attempt; he even treats the national representatives with a disdain approaching to insult; he puts his veto upon the laws of Congress, and frequently neglects even to reply to that powerful body. He is a favorite who sometimes treats his master roughly. The power of General Jackson perpetually increases, but that of the President declines; in his hands, the Federal government is strong, but it will pass enfeebled into the hands of his successor.

As for the treatment of "disdain approaching to insult," the "national representatives" were not a whit less accomplished in its use than was General Jackson. When they spread upon the records of the Senate a vote of censure of the President for the removal of the deposits from the National Bank in the summer of 1833, he replied in a vigorous protest, April 15, 1834.

To the Senate of the United States:

It appears by the published Journal of the Senate that on the 26th of December last a resolution was offered by a member of the Senate [Clay],[1] which after a protracted debate was

[1] Henry Clay in the original form of the resolutions called the President's action "dangerous to the liberties of the people." In presenting the resolutions before a crowded house, he said: "We are in the midst of a revolution hitherto bloodless, but rapidly tending toward a total change of the pure republican character of our government, and to the concentration of all power in the hands of one man. The powers of Congress are paralyzed, except when exerted in conformity with his will, by frequent and extraordinary exercise of the Executive veto. . . . By the 3d of March, 1837, if the progress of innovation continues, there will be scarcely a vestige remaining of the government and its policy as they existed prior to the 3d of March, 1829. In a term of eight years, a little more than equal to that which was required to establish our liberties, the government will have been transformed into an elective monarchy — the worst of all forms of government." — Congressional Debates, ed. Gales and Seaton, 1834, Vol. X, Part I, p. 59.

on the 28th of March last modified by the mover and passed by the votes of twenty-six senators out of forty-six who were present and voted,[1] in the following words, viz.:

Resolved, That the President, in the late Executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both.

Having had the honor, through the voluntary suffrages of the American people, to fill the office of President of the United States during the period which may be presumed to have been referred to in this resolution, it is sufficiently evident that the censure it inflicts was intended for myself. Without notice, unheard and untried, I thus find myself charged on the records of the Senate, and in a form hitherto unknown in our history, with the high crime of violating the laws and Constitution of my country. . . .

Under the Constitution of the United States the powers and functions of the various departments of the Federal Government and their responsibilities for violation or neglect of duty are clearly defined, or result by necessary inference; . . . each of the three great departments is independent of the others in its sphere of action, and when it deviates from that sphere is not responsible to the others further than it is expressly made so in the Constitution. In every other respect each of them is the coequal of the other two, and all are the servants of the American people, without power or right to control or censure each other in the service of their common superior [the people], save only in the manner and to the degree which that superior has prescribed. . . .

Tested by these principles, the Resolution of the Senate is wholly unauthorized by the Constitution, and in derogation of its entire spirit. It assumes that a single branch of the legislative department may, for the purposes of a public censure, consider and decide upon the official acts of the Executive. But in

[1] Notice that this falls short of the two-thirds majority that would have been necessary to convict Jackson had he been tried on a regular charge of impeachment.

no part of the Constitution is the President subjected to any such responsibility, and in no part of that instrument is any such power conferred on either branch of the Legislature. . . . The impeachment, instead of being preferred and prosecuted by the House of Representatives, originated in the Senate, and was prosecuted without the aid or concurrence of the other House. The oath or affirmation prescribed by the Constitution was not taken by the Senators, the Chief Justice did not preside, no notice of the charge was given to the accused, and no opportunity afforded him . . . to be heard in his defense. . . .

The honest differences of opinion which occasionally exist between the Senate and the President in regard to matters in which both are obliged to participate are sufficiently embarrassing; but if the course recently adopted by the Senate shall hereafter be frequently pursued, it is not only obvious that the harmony of the relations between the President and the Senate will be destroyed, but that other and graver effects will ultimately ensue. If the censures of the Senate be submitted to by the President, the confidence of the people in his ability and virtue, and the character and usefulness of his Administration will soon be at an end, and the real power of the Government will fall into the hands of a body holding their offices for long terms, not elected by the people and not to them directly responsible. . . . With this view, and for the reasons which have been stated, I do hereby *solemnly protest* against the aforementioned proceedings of the Senate as unauthorized by the Constitution. . . .

The resolution of the Senate contains an imputation upon my private as well as upon my public character, and, as it must stand forever on their journals,[1] I cannot close this substitute for that defense which I have not been allowed to present in the ordinary form without remarking that I have lived in vain if it be necessary to enter into a formal vindication of my character and purposes from such an imputation. . . . In the history of conquerors and usurpers, never in the fire of youth nor

[1] As a matter of fact, after a bitter fight in the Senate lasting for three years, and headed by Thomas H. Benton, the resolution was expunged, January 16, 1837.

in the vigor of manhood could I find an attraction to lure me from the path of duty, and now I shall scarcely find an inducement to commence their career of ambition, when grey hairs and a decaying frame, instead of inviting to toil and battle, call me to the contemplation of other worlds, where conquerors cease to be honored and usurpers expiate their crimes. The only ambition I can feel is to acquit myself to Him to whom I must soon render an account of my stewardship, to serve my fellow-men, and live respected and honored in the history of my country. No, the ambition which leads me on is an anxious desire and a fixed determination to return to the people unimpaired the sacred trust they have confided to my charge; to heal the wounds of the Constitution and preserve it from further violation; to persuade my countrymen, so far as I may, that it is not in a splendid government supported by powerful monopolies and aristocratical establishments that they will find happiness or their liberties protection, but in a plain system, void of pomp, protecting all and granting favors to none, dispensing its blessings, like the dews of Heaven, unseen and unfelt save in the freshness and beauty they contribute to produce. . . .

I respectfully request that this message and protest may be entered at length on the journals of the Senate.

Andrew Jackson

68. The specter of disunion, 1830–1832

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"The secession movement," says Professor Houston, "dates definitely from 1824. In the period from 1824 to 1832 all the principles that were fought for in the Civil War were formally enunciated by South Carolina, and a determination to apply them, if it should become necessary, was repeatedly expressed."[1] In 1830 George McDuffie, Congressman from South Carolina, a sensational orator, and a most extreme advocate of state sovereignty, denounced the oppressive tariff measures in a fiery speech before a crowded House.

[1] D. F. Houston, A Critical Study of Nullification in South Carolina, p. v.

It is vain, then, that the people of the South attempt to palter with this question, or to disguise any longer the sad reality of their condition. They have no security against taxation, but the will of those who have a settled interest and a fixed determination to increase their burdens; they have no rights of property, no title to that commerce which gives the principal value to the productions of their industry, which they do not hold by the same miserable and degrading tenure. They are, to all intents and purposes, the slaves of northern monopolists. If I were called on to give a definition of slavery, I could not use language more appropriate than that which should accurately describe the condition of the people of the Southern States.

There is no form of despotism that has ever existed upon the face of the earth, more monstrous and horrible than that of a representative Government acting beyond the sphere of its responsibility. Liberty is an empty sound, and representation worse than a vain delusion, unless the action of the Government be so regulated that responsibility and power shall be co-extensive. Now, I would be glad to know, under what responsibility the majority of this House act, in imposing burdens upon the industry of the southern people, and in waging this merciless warfare against their commerce. Are they, in the slightest degree, responsible to those upon whom they impose these heavy burdens? Have they any feelings of common interest or common sympathy to restrain them from oppression and tyranny? Does the system of prohibitory duties, which falls with such destructive power upon the dearest interests of the southern people, impose any burden, or inflict any injury at all, upon the constituents of that majority by which it has been adopted?

The very reverse of this is the truth. The majority which imposes these oppressive taxes upon the people of the South, so far from being responsible to them, . . . are responsible to the very men who have been, for the last ten years, making the welkin ring with their clamors for the imposition of these very burdens. Yes, sir, those who lay the iron hand of unconstitutional and lawless taxation upon the people of the southern States, are not the representatives of those who pay the taxes,

or have any participation in it, but the representatives of those who receive the bounty, and put it in their pockets. . . .

I am aware that the answer given to all this will be, that it is the right of the majority to govern, and the duty of the minority to submit. There is no political principle more undeniably true, in all the cases to which it properly applies. . . .

It is contrary to the clearest principles of natural justice, that the majority, merely because they have the power, should violate the rights and destroy the separate and peculiar interests of the minority. This would make power and right synonymous terms. The majority have no natural right, in any case to govern the minority. It is a mere conventional right, growing out of necessity and convenience. On the contrary, the right of the minority to the enjoyment of life, liberty, and property, without any unjust interference on the part of the majority, is the most sacred of the natural rights of man.

When the great antagonistic interests of society become arrayed against each other, particularly when they are separated by distance, and distinguished by a difference of climate, character, and civil institutions, the great object of the Government should undoubtedly be, not to become the partisan of either of those interests, but to interpose its power for the purpose of preventing the stronger from destroying the weaker. Instead, however, of assuming this attitude, instead of restraining the major interest from doing this act of injustice and oppression, this Government degrades itself into the character of a partisan of the stronger interest, and an instrument of its oppression. It cannot be otherwise, sir, as long as the majority in Congress, being nothing more than the agent of the major interest in the Confederacy, assumes the power of arbitrarily and unjustly appropriating to its own use the rightful and exclusive property of the minority.

Only a few weeks before this speech of McDuffie's in the House, Daniel Webster, in his famous reply to Senator Hayne of South Carolina, had given classic expression to the doctrine of the sovereignty of the Union, basing his

argument on the two clauses of the Constitution which he called "the keystone of the arch," namely: that the Constitution and the laws made in pursuance of it were the "supreme law of the land," in spite of anything in the Constitution or laws of any state (Art. VI, par. 2); and the power of the Supreme Court of the United States should "extend to all cases . . . arising under the Constitution and laws of the Union" (Art. III, Sect. II, par. 1). Webster finds no room for state sovereignty beside this sovereignty of the Union:

For myself, sir, I do not admit the competency of South Carolina, or any other State, to prescribe my constitutional duty; or to settle, between me and the people, the validity of laws of Congress, for which I have voted. I decline her umpirage. I have not sworn to support the Constitution according to her construction of its clauses. I have not stipulated by my oath of office or otherwise, to come under any responsibility, except to the people, and those whom they have appointed to pass upon the question, whether laws, supported by my votes, conform to the Constitution of the Country.[1] And, sir, if we look to the general nature of the case, could anything have been more preposterous, than to make a government for the whole Union, and yet leave its powers subject, not to one interpretation, but to thirteen or twenty-four interpretations? Instead of one tribunal, established by all, responsible to all, with power to decide for all, shall constitutional questions be left to four-and-twenty popular bodies, each at liberty to decide for itself, and none bound to respect the decision of others; and each at

[1] Webster refers to the Supreme Court. But the people "appointed" the Supreme Court only in the sense of accepting a constitution providing for the establishment of that body. The members of the Court are "appointed" by the president. Furthermore, the Constitution nowhere explicitly confers on the Court the power to decide whether laws "conform to the Constitution of the country." That power was assumed as a necessary part of its right to decide cases arising under the Constitution and laws of the United States.

liberty, too, to give a new construction on every new election of its own members? Would anything with such a principle in it, or rather with such a destitution of all principle, be fit to be called a government? No, sir. It should not be denominated a Constitution. It should be called, rather, a collection of topics for everlasting controversy; heads of debate for a disputatious people. It would not be a government. It would not be adequate to any practical good, or fit for any country to live under....

I have not allowed myself, sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor in the affairs of this government, whose thoughts should be mainly bent on considering, not how the Union may best be preserved, but how tolerable might be the condition of the people when it should be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the veil. God grant that in my day, at least, that curtain may not rise! God grant that on my vision never may be opened what lies behind! When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance rather behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, not a single star obscured, bearing for its motto no such miserable interrogatory as "What is all this worth?" nor those other words of delusion and folly, "Liberty first and Union afterwards"; but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other

sentiment, dear to every true American heart, — Liberty *and* Union, now and forever, one and inseparable!

The agitation over the tariff and states' rights divided the state of South Carolina into the "Union" and "Nullification" parties. And when the legislature of 1831 authorized Governor Hamilton to call a convention of the people of the state to deliberate on their relation to the Union, both parties began an active campaign to win delegates. The Union party planned a grand program (procession, speeches, banquet) for July 4, 1831, at Charleston, "to celebrate the fifty-fifth anniversary of American independence." President Jackson was invited to speak at the banquet. His reply to the committee was as follows:

Washington City, June 14, 1831

GENTLEMEN, —

It would afford me much pleasure, could I at the same time accept your invitation of the 5th instant and that with which I was before honored by the municipal authorities of Charleston. A necessary attention to the duties of my office must deprive me of the gratification I should have had in paying, under such circumstances, a visit to the State of which I feel a pride in calling myself a citizen by birth.

Could I accept your invitation, it would be with the hope that all parties — all the men of talent, exalted patriotism, and private worth, who have been divided in the manner you describe — might be found united before the altar of their country on the day set apart for the solemn celebration of its independence — independence which cannot exist without Union, and with it is eternal.

Every enlightened citizen must know that a separation, could it be effected, would begin with civil discord, and end in colonial dependence on a foreign power, and obliteration from the list of nations. But he should also see that high and sacred duties which must and will, at all hazards, be performed, present an insurmountable barrier to the success of any plan of disorganization,

by whatever patriotic name it may be decorated, or whatever high feelings may be arrayed for its support. . . .

Knowing as I do the private worth and public virtues of distinguished citizens to whom declarations inconsistent with an attachment to this Union have been ascribed, I cannot but hope that, if accurately reported, they were the effect of momentary excitement, not deliberate design; and that such men can never have formed the project of pursuing a course of redress through any other than constitutional means; but if I am mistaken in this charitable hope, then in the language of the father of our country, I would conjure them to estimate properly "the immense value of your national Union to your collective and individual happiness"; to "cherish a cordial, habitual, and immovable attachment to it, accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning on the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts." . . .

The grave subjects introduced in your letter of invitation have drawn from me the frank exposition of opinions which I have neither interest nor inclination to conceal. . . .

I have the honor to be, with great respect, your humble and obedient servant,

Andrew Jackson[1]

The Nullification party grew steadily stronger in South Carolina, and when Congress, in the tariff bill of 1832,

[1] The toast to President Jackson at the dinner was: "He will fill the measure of his glory by preserving the Union without impairing the rights of the States." The bitterness to which partisanship can lead is shown in John Quincy Adams' entry in his diary on the occasion when the man who wrote the excellent letter above quoted was given an honorary degree at Harvard: "Myself an affectionate child of our *alma mater*, I would not be present to witness her disgrace in conferring her highest literary honors upon a barbarian who could not write a sentence of grammar and hardly could spell his name." — John Quincy Adams, Memoirs, Vol. IV, p. 5.

refused to abandon the doctrine of protection, Governor Hamilton, on the authorization of the legislature, called a convention to deal with the tariff laws. On November 24, 1832, the convention, by a vote of 136 to 26, passed the following ordinance:

Whereas the Congress of the United States, by various acts, purporting to be acts laying duties and imposts on foreign imports, but in reality intended for the protection of domestic manufactures . . . hath exceeded its just powers under the Constitution, which confers on it no authority to afford such protection, and hath violated the true meaning and intent of the Constitution, which provides for equality in imposing the burthens of taxation upon the several States and portions of the Confederacy. . . .

We, therefore, the people of the State of South Carolina, in Convention assembled, do declare and ordain . . . that the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importation of foreign commodities . . . are unauthorized by the Constitution of the United States, and violate the true meaning and intent thereof, and are null, void, and no law, nor binding upon this State, its officers or citizens. . . .

And it is further ordained, that it shall not be lawful for any of the constituted authorities, whether of this State or of the United States, to enforce the payment of duties imposed by the said acts within the limits of this State. . . .

And it is further ordained, that all persons now holding any office of honor, profit, or trust, civil or military, under this State . . . shall . . . take an oath well and truly to obey, execute, and enforce this ordinance, and such act or acts of the Legislature as may be passed in pursuance thereof. . . .

And we, the people of South Carolina, to the end that it may be fully understood by the Government of the United States, and the people of the co-States, that we are determined to maintain this, our ordinance and declaration, at every hazard, do further declare that we will not submit to the application of force,

on the part of the Federal Government, to reduce this State to obedience; but that we will consider the passage, by Congress, of any act authorizing the employment of a military or naval force against the State of South Carolina, her constituted authorities or citizens . . . as inconsistent with the longer continuance of South Carolina in the Union: and that the people of this State will . . . forthwith proceed to organize a separate Government, and do all other acts and things which sovereign and independent States may of right do.

Done in Convention at Columbia, 24 November 1832.

A New Party

69. Early anecdotes of the railroad

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Fanny Kemble, the famous English actress, who visited America in 1832, gives the following amusing description of a journey by boat, stage, and railroad from New York to Philadelphia. The party embarked on the Philadelphia boat at six o'clock on an October morning, at the docks at the foot of Barclay Street, and crossing New York Bay sailed a few miles up the Raritan River.

At about half-past ten we reached the place where we leave the river, to proceed across a part of the State of New Jersey to the Delaware. The landing was beyond measure wretched: the shore shelved down to the water's edge; and its marshy, clayey, sticky soil, rendered doubly soft and squashy by the damp weather, was strewn over with broken potsherds, stones, and bricks, by way of pathway; these, however, presently failed, and some slippery planks, half immersed in mud, were the only roads to the coaches that stood ready to receive the passengers of the steam-boat. Oh, these coaches! English eye hath not seen, English ear hath not heard, nor hath it entered into the heart of Englishmen to conceive the surpassing clumsiness and wretchedness of these leathern inconveniences. They are shaped something like boats, the sides being merely leathern pieces, removable at pleasure, but which, in bad weather, are buttoned down to protect the inmates from the wet. . . . For the first

few minutes I thought I must have fainted from the intolerable sensation of smothering which I experienced. However, the leathers having been removed, and a little more air obtained, I took heart of grace and resigned myself to my fate. Away walloped the four horses, trotting with their front, and galloping with their hind legs; and away we went after them, bumping, thumping, jumping, jolting, shaking, tossing, tumbling, over the wickedest road, I do think the cruellest, hard-heartedest road that ever wheel rumbled upon. Through bog and marsh, and ruts wider and deeper than any Christian ruts I ever saw, with the roots of trees protruding across our path; their boughs every now and then giving us an affectionate scratch through the windows; and more than once a half-demolished trunk or stump lying in the middle of the road lifting us up, and letting us down again, with the most awful variations of our poor coach body from its natural position. Bones of me! what a road! Even my father's solid proportions could not keep their level, but were jerked up to the roof and down again every three minutes. Our companions seemed nothing dismayed by these wondrous performances of a coach and four, but laughed and talked incessantly, the young ladies at the very top of their voices, and with the national nasal twang. . . .

At the end of fourteen miles we turned into a swampy field, the whole fourteen coachfuls of us, and, by the help of Heaven, bag and baggage were packed into the coaches which stood on the rail-way ready to receive us. These carriages were not drawn by steam, like those on the Liverpool rail-way,[1] but by horses, with the mere advantage in speed afforded by the iron ledges, which, to be sure, compared with our previous progress through the ruts, was considerable. Our coachful got into the first carriage of the train, escaping, by way of especial grace, the dust which one's predecessors occasion. This vehicle had but two seats, in the usual fashion; each of which held four of us. The whole inside was lined with blazing scarlet leather, and the

[1] The Liverpool and Manchester railway was opened in 1830. The Stephensons' prize locomotive, the *Rocket*, weighing four and one-half tons, drew cars at the rate of fifteen miles an hour, and demonstrated the success of the steam engine for rapid railway locomotion.

windows shaded with stuff curtains of the same refreshing color; which, with full complement of passengers, on a fine, sunny, American summer's day, must make as pretty a little miniature hell as may be, I should think. The baggage-waggon, which went before us, a little obstructed the view. . . . This railroad is an infinite blessing; 't is not yet finished, but shortly will be so, and then the whole of that horrible fourteen miles will be performed in comfort and decency in less than half the time. In about an hour and a half we reached the end of our railroad part of the journey, and found another steamboat waiting for us, when we all embarked on the Delaware. . . .

At about four o'clock we reached Philadelphia, having performed the journey between that and New York (a distance of a hundred miles) in less than ten hours, in spite of bogs, ruts, and all other impediments. The manager came to look after us and our goods, and we were presently stowed into a coach which conveyed us to the Mansion House, the best reputed inn in Philadelphia.

Miss Kemble had hardly left our strenuous shores when another still more distinguished Englishwoman, Miss Harriet Martineau, historian, essayist, economist, came for a two years' visit. The results of Miss Martineau's extensive and discriminating observations on our politics, our industries, our commerce, our manners and morals, our work and our worship, our charities and our children, were embodied in two remarkable volumes entitled "Society in America." Miss Martineau writes of her journeys in the South in the spring of 1835:

The only railroads completed in the south, when I was there, were the Charleston and Augusta one, two short ones in the States of Alabama and Mississippi, and one of five miles from Lake Pontchartrain to New Orleans. There is likely to be soon a magnificent line from Charleston to Cincinnati; and the line from Norfolk, Virginia, to New York, is now almost uninterrupted. . . .

My journeys on the Charleston and Augusta railroad were by far the most fatiguing of any I underwent in the country.

The motion and the noise are distracting. Whether this is owing to its being built on piles in many places; whether the fault is in the ground or the construction, I do not know. Almost all the rail-road travelling in America is very fatiguing and noisy. I was told that this was chiefly owing to the roads being put to use as soon as finished, instead of the work being left to settle for some months. How far this is true I do not pretend to say. The railroads which I saw in progress were laid on wood instead of stone. The patentee discovered that wood settles after frost more evenly than stone. The original cost in the State of New York, is about two thousand dollars per mile.[1]

One great inconvenience of the American rail-roads is that, from wood being used for fuel, there is an incessant shower of large sparks, destructive to dress and comfort, unless all the windows are shut; which is impossible in warm weather. Some serious accidents from fire have happened in this way; and during my last trip on the Columbia and Philadelphia rail-road, a lady in the car had a shawl burned to destruction on her shoulders; and I found that my own gown had thirteen holes in it; and my veil, with which I saved my eyes, more than could be counted.[2] . . .

There are many rail-roads in Virginia, and a line to New York, through Maryland and Delaware. There is in Kentucky a line from Louisville to Lexington. But it is in Pennsylvania, New York, Rhode Island, and Massachusetts, that they abound. All have succeeded so admirably, that there is no doubt of the establishment of this means of communication over nearly the whole of the United States, within a few years, as by-ways to great high-ways [rivers] which Nature has made to run through this vast country. . . . I believe the best-constructed rail-road in the

1 The average cost of modern railroad construction in the United States is given by Webb at $70,000 per mile. — New Dictionary of Statistics, p. 513. London, 1911.

2 These annoying injuries to apparel were not the only dangers of the early railroads. The first American-built locomotive, the *Best Friend*, running on the Charleston railroad in 1830, was blown up "because an attendant, annoyed by the sound of the escaping steam, fastened down the safety-valve"!

States is the Boston and Lowell in Massachusetts; length, twenty-five miles. Its importance, from the amount of traffic upon it, may be estimated from the fact that some thousands of dollars were spent, the winter after it was opened, in clearing away a fall of snow from it. It was again covered, the next night.

Another line from Boston is to Providence, Rhode Island, forty-three miles long. This opens a very speedy communication with New York; the distance, 227 miles, being performed in twenty hours, by rail-road and steam-boat. . . .

There is now an uninterrupted communication from the Atlantic to the far end of Lake Michigan. It only remains to extend a line thence to the Mississippi, and the circle is complete.

70. Labor unrest in the thirties

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The decade 1830–1840 was marked by a great number of enterprises, reforms, and innovations which showed an awakening of interest among the people at large in political and social questions, and a participation of the people at large in such questions, to an extent never before known in our history. The widening of the suffrage, the substitution of elective for appointive offices, humanitarian reforms in workhouses, asylums, and prisons, the multiplication of inventions, the frequency of mass meetings and conventions, the organization of temperance societies — are all different aspects of the "new democracy." One of the most interesting features of this social ferment is the labor agitation of the decade, of which Professor McMaster gives the following summary:

Along the sea-board, the hard times which followed the removal of the deposits [1833], and the depressed state of business of every sort, caused by the State banks refusing loans, was followed by a reduction of wages, and discontent among the workingmen everywhere. . . . Four eastern factories had dismissed eleven hundred men. The blast furnaces of New Jersey would soon be put out. In Philadelphia but eight building permits had been issued during 1834, as against six hundred for

the same period in 1833. These were but typical instances of a general condition which bore heavily on the banks, the manufacturers, the merchants, and the workingmen. It was better that wages be low and many have work, than be high and few find employment.

The workingmen, however, thought otherwise, and the old agitation for shorter hours, better pay, and combined action went on with renewed energy. In October of 1833 committees of the various trade organizations in Philadelphia were appointed to confer on the ills of labor. In Boston, in January 1834, steps were taken to form a trades union of mechanics, and in March, in each of these cities a General Trades Union was formed, a constitution adopted, and officers elected. At Lowell in February the girls in the factories turned out to prevent a reduction of wages; but others from the country filled their places and the attempt failed. . . .

Striking cabinet-makers in New York became so enraged at the importation of French furniture that a band of them entered an auction room where some was for sale, and destroyed bureaus, sofas, and tables to the value of a thousand dollars. . . . Coal-heavers on the Schuylkill wharves in Philadelphia struck for a laboring day from six in the morning to six in the evening, with an hour for breakfast and another for dinner; assaulted those who would not join them, and raised a riot the mayor found it difficult to put down. . . . The seamstresses, who made shirts and pantaloons, now appealed to the public and stated their grievances. For sewing shirts they were paid eight, ten, or twelve and a half cents each. By working from six in the morning till nine at night they could make nine in the course of a week; thus earning seventy-two, ninety, or a hundred and twelve cents per week. Carpenters were paid a dollar and a quarter for ten hours' work and masons a dollar and three quarters for ten hours of labor. That women should be given less for a week's work than carpenters and masons for one day's work was cruel and unjust.

After a series of meetings in Independence Square, and a street parade, the carpenters adopted a report of a committee demanding a six to six day; divided the city into three districts

with a committee for each to watch the shops, and petitioned councils to adopt the ten-hour system for all city work. . . . Catching the movement of the day, the plumbers and woodsawyers struck for higher pay, gangs of tipsy seamen paraded the streets with a banner inscribed: "Eighteen dollars a month and small stores [grog] or death!"; the tailoresses, seamstresses, binders, folders, and stockworkers demanded more wages, and the block and pump makers, in a card, thanked their employers for accepting the ten-hour day without a struggle. . . .

Members of the Philadelphia Trades Union met in Independence Square, heard speeches by labor leaders from New England, approved the stand taken by the Boston house-wrights for a ten-hour day, and were urged to give up some luxury, as tobacco, and contribute twenty-five cents a week for the support of the Boston strikers. . . .

The following extracts from contemporaneous documents comprise (*a*) an appeal for the striking bakers in New York, (*b*) the call for a convention to organize a general trade-union in Boston, and (*c*) a communication on child labor from "many operatives" in the Philadelphia factories.

(*a*)

STRIKE OF THE JOURNEYMEN BAKERS

To the Public: the undersigned Committee, appointed by the general Trades' Union, having now before them a well attested statement of facts which sufficiently prove that the condition of the Journeymen Bakers in this city has been for some time in reality much worse than that of the southern slaves, submit for the inspection of the public a few instances taken from a very long list.

1st. Three men and a boy have had to bake 60 barrels per week, have had to labor 115 hours each week (doing six men's work) and have received about 50 cents per barrel.

2nd. Four men have had to bake 54 barrels per week, have had to labor about 112 hours each week (doing nearly six men's work) and have received about 60 cents per barrel. . . .

The above facts undoubtedly prove all that we have asserted, and now we call upon the public to know whether those employers who persist in requiring from their men much more than their nature can long bear, viz.: from 18 to 20 hours labor out of the 24—are to be sustained in their demands, or whether they will not assist the oppressed Journeymen in their present attempt to procure a fair equivalent for their labor.

We have also to state that the General Trades' Union have resolved to support the Journeymen Bakers in their present course, and are determined by all just and honorable means, to raise them if possible to a fair standing among the other mechanics of the city.

In conclusion, we respectfully suggest, that the public in general can in no way more effectually support our cause, than by bestowing their patronage on those employers who have nobly agreed to give the wages required.[1] In order to accomplish this end, we give below a list of those employers, as far as we have ascertained, and shall continue to do so from day to day, until all difficulties are adjusted.

William Hewitt, and others, Committee of the
General Trades Union

New York, June 10, 1834

(*b*)

TRADES UNION OF BOSTON AND VICINITY

Fellow Citizens: At a meeting of the workingmen of this city, holden at the old Common Council Room, Court Square, School Street, January 21, 1834, the subject of Trades' Unions came before the meeting. After many interesting remarks, a Committee was appointed to take such measures as they should deem expedient to effect the formation of a General Trades' Union of the mechanics of this city and vicinity. The Committee thus appointed assembled at Bascom's Hotel, School-street, on the evening of January 28th ult. They took the

[1] A list of twenty-three such employers followed. The terms demanded by the three hundred members of the Bakers' Trade Union were a dollar per barrel with an average of nine barrels a week for each man, and no work on Sunday before 8 o'clock in the evening.

subject into deep and serious consideration, which resulted in a vote to issue a Circular to the Mechanics of Boston and vicinity, in order to lay before them the nature and design of the proposed Union of Trades. The several trades were generally represented in the committee.[1]

Judging by past experience, and close observation of causes and effects, which act in reducing the Working Class in all countries to a situation far from enviable, your Committee deem it of the very highest moment, that something should be done to improve the condition of the mechanics of our city and vicinity, which will prevent the fatal results which have followed the adoption of a cruel and heartless policy towards the Mechanics of Europe. . . .

The cities of New York, Philadelphia, and Baltimore, have adopted this method of concentrated action [in trade-unions] to the satisfaction of all concerned. Since the formation of Trades' Unions in those cities, we hear nothing of difficulties and dissentions between employers and employed, which in all cases produce dissatisfaction, discontent, and distress; but employers and employed seem to be harmoniously united for the mutual benefit of both, which ought always to be the case.

If there are a few in those cities more avaricious than others, who wish to oppress their fellow men to aggrandize themselves, the good sense and humanity of the greater number of honest employers forbid the attempt, which, if made under the present circumstances growing out of Trades' Unions would inevitably result in total failure. . . .

It would be impossible to give a detail of all the advantages of such a Union of the Trades, but one advantage will be apparent to you all at first sight. Such a Union will produce a friction of mind, and no doubt that sparks of intellectual fire will be thus elicited, which will electrify, enlighten, and warm the whole body. . . .

The Committee earnestly recommend that the Mechanics of the towns in the vicinity of Boston would send delegates to the

[1] In the convention which met March 6, in response to this call, there were delegates representing curriers, cabinetmakers, tailors, masons, coopers, shipwrights, painters, ropemakers, iron founders, printers, carpenters, sailmakers, pianomakers, and machinists.

proposed Convention, furnished with the proper credentials. . . . Those trades which have societies already formed are requested to take measures to be represented in the Convention. All of which is respectfully submitted by the

Committee

Boston, Feb. 11, 1834.

(*c*)

CHILDREN IN THE PHILADELPHIA FACTORIES

In looking over one of your late numbers [of the *Mechanics' Free Press*] I was rejoiced to find that some friend has noticed the sufferings of people employed in our manufactories; particularly in that of cotton. It is a well known fact, that the principal part of the helps in cotton factories consist of boys and girls, we may safely say from six to seventeen years of age, and are confined to steady employment during the longest days in the year, from daylight until dark, allowing at the outside one hour and a half per day. In consequence of this close confinement, it renders it entirely impossible for the parents of such children to obtain for them any education or knowledge, save that of working that machine, which they are compelled to work, and that too with a small sum, that is hardly sufficient to support nature, while they on the other hand are rolling in wealth, of[f] the vitals of these poor children every day. We noticed the observation of our Pawtucket friend in your number of June 19, 1830, lamenting the grievances of the children employed in those factories. We think his observations very correct, with regard to their being brought up as ignorant as Arabs of the Desert; for we are confident that not more than one-sixth of the boys and girls employed in such factories are capable of reading or writing their own name. We have known many instances where parents who are capable of giving their children a trifling education one at a time, deprived of that opportunity by their employer's threats, that if they did take one child from their employ, (a short time for school,) such family must leave the employment — and we have even known these threats put in execution. Now, as our friend observes, we may establish schools and academies, and devise every means for the instruction

of youth in vain, unless we also give time for application; we have heard it remarked to some employers, that it would be commendable to congress to shorten the hours of labour in factories; the reply was: it would be an infringement on the rights of the people. We know the average number of hands employed by one manufacturer to be, at the lowest estimate, fifty men, women, and children. Now, the query is: whether this individual, or this number employed by him, is the people.

It is not our intention at present, to undertake a thorough discussion of this interesting subject, but rather to give some hints on the subject, which, we hope, may attract the notice of your readers, and be the means of arousing some abler pen to write on the matter; for we think it is high time the public should begin to notice the evil that it begets. We see the evil that follows the system of long labor much better than we can express it; but we hope our weak endeavors may not prove ineffectual. We must acknowledge our inability prevents us from expressing our sentiments fluently, at present, but we hope to appear again in a more correct manner.

Many Operatives

PART V. SLAVERY AND THE WEST

PART V. SLAVERY AND THE WEST

CHAPTER XI

THE GATHERING CLOUD

Slavery in the Colonies

The prevalence of slavery in the colonies in the seventeenth and eighteenth centuries was chiefly due to the need of laborers for the cultivation of the soil. A scanty population, without manufactures, the colonists, especially in the South, had to work large areas of land to produce the tobacco, cotton, rice, indigo, and food-stuffs to exchange in Europe for their luxuries and many of their necessities. So, for example, the Lords Proprietors of Carolina, in their "Proposals to First Settlers," in 1663, offered "to the owner of every negro or man slave brought thither to settle within the first year 20 acres and for every woman negro or slave 10 acres of land."[1] James Oglethorpe, founder of the neighboring colony of Georgia, was opposed to slavery on moral grounds, and immediately after the granting of the charter of Georgia the inhabitants were ordered "not to hire, keep, lodge, board, or employ within the limits of the Province any Black or Negro." Nevertheless the

71. The petition of the Georgia colonists for slavery, 1738 [303]

[1] Peter Force, Tracts, Vol. IV, No. 2, p. 25. At the census of 1790, Massachusetts was the only state to report no slaves. The list of slaves in New York in 1755 (excluding the counties of Albany, New York, and Suffolk) fills twenty-four pages of O'Callaghan, Documentary History of the State of New York, Vol. III, pp. 844–868.

economic pressure of the need for laborers was so great that five years later the following petition was sent to the Trustees of the colony:

May it please Your Honours;

We whose Names are under-written, being all *Settlers*, *Freeholders* and *Inhabitants* of the Province of *Georgia*, and being sensible of the great Pains and Care exerted by You in Endeavouring to settle this Colony, since it has been under Your Protection and Management; Do unanimously join to lay before You, with the utmost Regret, the following Particulars. . . . We have most of us settled in *this* Colony in Pursuance of the Description and Recommendation given of it by You in *Britain*; and from the Experience of residing here several Years, do find that it is impossible that the Measures *hitherto* laid down and pursued for making it a Colony can succeed. None of all those who have planted their Land have been able to raise Sufficient Produce to maintain their Families in Bread kind only, even tho' as much Application and Industry have been exerted to bring it about as could be done by Men engaged in an Affair on which they believed the Welfare of themselves and their Posterity so much depended; . . . so that by the accumulated Expences every Year, of Provisions, Cloathing and Medicines, for themselves, Families and Servants, several hath expended all their Money, nay, even run considerably in Debt, and so been obliged to leave off Planting and making further Improvements. . . . This being now the general *State of the Colony*, it must be obvious that People cannot subsist by their Land, according to the present Establishment; and this being a Truth resulting from Tryal, Practice and Experience, cannot be contradicted by any *theorical* Scheme or Reasoning. The Land then, according to the present Constitution, not being capable to maintain the Settlers here, they must unavoidably have recourse to and depend upon Trade: But to our *woful* Experience likewise, the same Causes that prevented the *first*, obstruct the *latter*; for tho' the Situation of this Place is exceeding well adapted for Trade, and if it was encouraged, might be much more improved by the Inhabitants; yet the Difficulties and Restrictions, which we *hitherto have* and

at present do labour under, debar us of that Advantage: Timber is the only Thing we have here which we might export, and notwithstanding we are obliged to fall [fell] it in Planting our Land; yet we cannot manufacture it for a Foreign Market but at double the Expence of other Colonies; as for Instance, the *River of May* [St. Johns River, Florida], which is but *twenty* Miles from us, with the Allowance of Negroes, load Vessels with that Commodity at one Half of the Price that we can do; and what should induce Persons to bring Ships here, when they can be loaded with one Half the Expence so near us; therefore the Timber on the Land is only a continual Charge to the Possessors of it, tho' of very great Advantage in all the Northern Colonies, where Negroes are allowed, and consequently Labour cheap. We do not in the least doubt but that in Time *Silk* and *Wine* may be produced here, especially the former; but since the Cultivation of Land with White Servants only, cannot raise Provisions for our Families as before mentioned, *therefore* it is likewise impossible to carry on these Manufactures according to the *present* Constitution. It is very well known, that *Carolina* can raise everything that this Colony can; and they having their Labour so much cheaper will always ruin our Market, unless we are in some Measure on a Footing with them. . . .

Your Honours, we imagine, are not insensible of the Numbers that have left this Province, not being able to support themselves and Families any longer; and those still remaining, who had Money of their own and Credit with their Friends, have laid out most of the *former* in Improvements, and lost the *latter* for doing it on such precarious Titles. And upon Account of the present Establishment, not above *two* or *three* Persons, except those brought on Charity and Servants sent by You, have come here for the Space of *two* Years past, either to *settle* Land or *encourage* Trade, neither do we hear of any such likely to come until we are on *better* Terms. . . .

Believing You will agree to those Measures that are found from Experience capable to make this Colony succeed, and to promote which we have consumed our Money, Time and Labour; we do, from a sincere Regard to its Welfare, and in Duty both to You and ourselves, beg Leave to lay before Your immediate

Consideration the *Two* following chief Causes of these our *present* Misfortunes and this *deplorable* State of the Colony, and which, we are certain, if granted, would be an infallible Remedy for *both*.

1st. The Want of a free Title, or Fee-simple to our Lands. . . .

2d. The Want of the Use of Negroes, with proper Limitations; which if granted, would both occasion great Numbers of White People to come here, and also render us capable to subsist ourselves, by raising Provisions upon our Lands, until we could make some Produce fit for Export, in some Measure to Ballance our Importation. We are very sensible of the Inconveniences and Mischiefs that have already, and do daily arise from an unlimited Use of Negroes; but we are also sensible, that these may be prevented by a due Limitation, such as so many to each white Man, or so many to such a Quantity of Land, or in any other Manner which Your Honours shall think most proper.

By granting us, *Gentlemen*, these *Two* Particulars, and such other Privileges as His Majesty's most dutiful Subjects in *America* enjoy, You will not only prevent our impending Ruin, but, we are fully satisfied, also will soon make this the most flourishing Colony possess'd by His Majesty in *America*, and Your Memories will be *perpetuated* to all future Ages, our latest Posterity *sounding* Your Praises, as their *first* Founders, Patrons, and Guardians. . . .

We are,
with all due Respect,
Your Honours most dutiful and obedient Servants
[signed by 117 Freeholders]

Savannah,
9th December, 1738

The Missouri Compromise

72. The debate on the Missouri Compromise, 1820

[312]

"I went up to the Capitol," says John Quincy Adams in his "Memoirs," under the date of February 11, 1820, "and heard Mr. King in the Senate, upon what is called the Missouri question. . . . His manner is dignified, grave, earnest, but not rapid or vehement. . . . He laid down the

position of the natural liberty of man, and its incompatibility with slavery in any shape. . . . He spoke with great power, and the great slave-holders in the House, gnawed their lips and clutched their fists as they heard him."[1] The debate on the Missouri Compromise elicited the most determined assertions of principle and provoked the most violent bursts of passion since the struggle over the formation and adoption of the federal Constitution. King's famous speech and the reply of William Pinkney of Maryland[2] were delivered before an excited audience in the Senate chamber at the height of the struggle. King argued for the power of Congress to restrict slavery in the western territories, and hence to permit them to enter the Union only as free states.

The territory of Missouri is a portion of Louisiana, which was purchased of France, and belongs to the United States in full dominion; in the language of the Constitution, Missouri is

[1] J. Q. Adams, Memoirs, Vol. IV, p. 522. Of this speech, Rufus King himself, writing to J. A. King, said . . . "today [I] delivered my opinions to the Senate; with what effect I cannot say, but if I satisfied nobody else, *I may say to you*, that I satisfied myself. The cause is desperate in the Senate, and my object was, by taking a bold position, and defending it with some vigor and much confidence, to encourage & hold up others who were languid & discouraged. I shall be greatly misrepresented, but correct in my principles and able as I think to defend them and protect myself, this little warfare will give me no concern. Every new speech becomes the material of another, and the end and issue of the debate are beyond conjecture." — Life and Correspondence of Rufus King, ed. C. R. King, Vol. VI, p. 269.

[2] In his Autobiography (Vol. I, p. 60) John A. Dix says: "I was so fortunate as to hear the two speeches which, on opposite sides of the [Missouri] question, were considered the most able . . . those of Mr. Pinkney of Maryland against the prohibition, and Rufus King of New York in favor of it. It would be difficult to conceive a greater contrast than in the oratory of the two Senators. Mr. King's was calm, dignified, argumentative, forcible and at times fervid. Mr. Pinkney's was impassioned, fiery and sometimes bordering on violence, but sustained throughout with surpassing logical power."

their territory or property, and is subject like other territories of the United States, to the regulations and temporary government, which has been, or shall be prescribed by Congress. The clause of the Constitution which grants this power to Congress, is so comprehensive and unambiguous, and its purpose so manifest, that commentary will not render the power, or the object of its establishment, more explicit or plain.

The Constitution further provides that "new States may be admitted by Congress into this Union." As this power is conferred without limitation, the time, terms, and circumstances of the admission of new States, are referred to the discretion of Congress; which may admit new States, but are not obliged to do so — of right no new State can demand admission into the Union, unless such demand be founded on some previous engagement of the United States. . . .

The question respecting slavery in the old thirteen States had been decided and settled before the adoption of the Constitution, which grants no power to Congress to interfere with, or to change what had been so previously settled. The slave States, therefore, are free to continue or to abolish slavery. . . . The Constitution contains no express provision respecting slavery in a new State that may be admitted into the Union; every regulation upon this subject belongs to the power whose consent is necessary to the formation and admission of new States into the Union. Congress may, therefore, make it a condition of the admission of a new State, that slavery shall be forever prohibited within the same. . . .

It is further objected that the article of the act of admission into the Union, by which slavery should be excluded from Missouri, would be nugatory, as the new State in virtue of its sovereignty would be at liberty to revoke its consent, and annul the article by which slavery is excluded.

Such revocation would be contrary to the obligations of good faith, which enjoins the observance of our engagements; it would be repugnant to the principles on which government itself is founded. . . . Sovereigns, like individuals, are bound by their engagements, and have no moral power to break them. Treaties between nations repose on this principle. If a new

State can revoke and annul an article concluded between itself and the United States, by which slavery is excluded from it, it may revoke and annul any other article of the compact; it may, for example, annul the article respecting public lands, and in virtue of its sovereignty, assume the right to tax and to sell the lands of the United States. There is yet a more satisfactory answer to this objection. The judicial power of the United States is coextensive with their legislative power. . . . Should the new State rescind any of the articles of compact contained in the act of admission into the Union . . . and should [it] pass a law authorizing slavery the judiciary of the United States on proper application, would immediately deliver from bondage, any person retained as a slave in said State. . . .

If Congress possess the power to exclude slavery from Missouri, it still remains to be shown that they ought to do so. The examination of this branch of the subject, for obvious reasons, is attended with peculiar difficulty, and cannot be made without passing over arguments which, to some of us, might appear to be decisive, but the use of which, in this place, would call up feelings, the influence of which would disturb, if not defeat, the impartial consideration of the subject. Slavery, unhappily, exists within the United States. Enlightened men, in the States where it is permitted, and everywhere out of them, regret its existence among us, and seek for the means of limiting and of mitigating it. . . . The laws and customs of the States in which slavery has existed for so long a period, must have had their influence on the opinions and habits of the citizens, which ought not to be disregarded on the present occasion.[1] . . .

[1] How little regard the "leaders of federalism" (chief among whom at this time was King himself) had in the eyes of Southerners for the peculiar difficulty of the slavery question is shown by Jefferson's complaint in a letter to Charles Pinckney, September 30, 1820: "They are wasting Jeremiads on the miseries of slavery, as if we were advocates for it. Sincerity in their declamations should direct their efforts to the true point of difficulty, and unite their counsels with ours in devising some reasonable and practicable plan of getting rid of it." — Writings of Thomas Jefferson, ed. P. L. Ford, Vol. X, p. 162. Perhaps the sagest reflections on the Missouri struggle are those expressed by

The territory of Missouri is beyond our ancient limits, and the inquiry whether slavery shall exist there, is open to many of the arguments that might be employed, had slavery never existed within the United States. It is a question of no ordinary importance. Freedom and slavery are the parties which stand this day before the Senate; and upon its decision the empire of the one or the other will be established in the new State which we are about to admit into the Union.

If slavery be permitted in Missouri . . . what hope can be entertained that it will ever be prohibited in any of the new States that will be formed in the immense region west of the Mississippi? Will the coextensive establishment of slavery and of new States throughout this region, lessen the dangers of domestic insurrection, or of foreign aggression? Will this manner of executing the great trust of admitting new States into the Union, contribute to assimilate our manners and usages, to increase our mutual affection and confidence, and to establish that equality of benefits and burdens which constitutes the true basis of our strength and union? Will the militia of the nation, which must furnish our soldiers and seamen, increase as slaves increase? . . . There are limits within which our federal system must stop; no one has supposed that it could be indefinitely extended. We are now about to pass our original boundary; if this can be done without affecting the principles of our free governments, it can be accomplished only by the most vigilant

Hezekiah Niles of Baltimore, in his *Register* of weekly events, December 23, 1820: "The people of those sections of the country in which there are few or no slaves or persons of color, very imperfectly appreciate the wants, necessities or general principles of others differently situated [that is, slave-holders]. Collectively the latter deprecate slavery as severely as the former, and dread its increase — but individual cupidity and rashness acts against the common sentiment, in the hope that an event which everybody believes must happen, may not happen in their day. . . . That the slave population will, at some certain period, cause the most horrible catastrophe, cannot be doubted — those who possess them [slaves] act defensively in behalf of all that is nearest and dearest to them, when they endeavor to acquire all the strength and influence to meet that period which they can; and hence the political and civil opposition of these to the restriction which was proposed to be laid on Missouri." — H. Niles, *The Weekly Register*, Vol. XIX, p. 265.

attention to plant, cherish, and sustain the principles of liberty in the new States that may be formed beyond our ancient limits. . . .

Four days later William Pinkney of Maryland delivered a speech of three hours' length in reply to King:

Sir, it was but the other day that we were forbidden (properly forbidden, I am sure, for the prohibition came from you) to assume that there existed any intention to impose a prospective restraint on the domestic legislation of Missouri. . . . We are now, however, permitted to know that it is determined by a sort of political surgery to amputate one of the limbs of its local sovereignty, and thus mangled and disparaged, and thus only, to receive it into the bosom of the Constitution. It is now avowed that while Maine is to be ushered into the Union with every possible demonstration of studious reverence on our part . . . this ill-conditioned upstart of the West, this obscure foundling of the wilderness, that was but yesterday the hunting ground of the savage, is to find her way into the American family as she can, with a humiliating badge of remediless inferiority patched upon her garments, . . . with a brand upon her forehead to tell the story of her territorial vassalage, and to perpetuate the memory of her evil propensities, . . . with the iron collar of servitude about her neck, instead of the civic crown of republican freedom upon her brows. . . .

I am told that you have the power to establish this odious and revolting distinction, and I am referred for the proofs of that power to various parts of the Constitution. . . . The clause of the Constitution which relates to the admission of new States is in these words: "The Congress may admit new States into this Union" &c, and the advocates for restriction maintain that the use of the word *may* imports discretion to admit or reject; and that in this discretion is wrapped up another — that of prescribing the terms and conditions of admission in case you are willing to admit. *Cuius est dare eius est disponere.*[1] . . .

[1] "He who has the power to grant has also the power to make the terms of the grant."

I think I may assume that if such a power be anything but nominal, it is much more than adequate to the present object; that it is a power of vast expansion, to which human sagacity can assign no reasonable limits; that it is a capacious reservoir of authority, from which you may take, in all time to come, as occasion may serve, the means of oppression as well as of benefaction. . . . Sir, it is a wilderness of powers, of which fancy, in her happiest mood, is unable to perceive the far-distant and shadowy boundary. . . . By the aid of such a power, skilfully employed, you may "bridge your way" over the Hellespont that separates State legislation from that of Congress; and you may do so for pretty much the same purpose with which Xerxes once bridged his way across the Hellespont that separates Asia from Europe. He did so, in the language of Milton, "the liberties of Greece to yoke." You may do so for the analogous purpose of subjugating and reducing the sovereignties of States, as your taste or convenience may suggest, and fashioning them to your imperial will. . . .

"New States may be admitted by Congress into this Union." What is that Union? A confederation of States equal in sovereignty, capable of everything which the Constitution does not forbid or authorize Congress to forbid. . . . By acceding to it, the new State is placed on the same footing with the original States. It accedes for the same purpose, that is, protection of its unsurrendered sovereignty. If it comes in shorn of its beams — crippled and disparaged beyond the original States, it is not into the original Union that it comes. For it is a different sort of Union. The first Union was *inter pares*; this is a Union between *disparates*, between giants and a dwarf, between power and feebleness, between full proportioned sovereignties and a miserable image of power. . . . You cannot make the Union, as to the new State, what it is not as to the old; for then it is not *this Union* that you open for entrance of a new party. . . .

If I am told that, by the bill relative to Missouri, you do not legislate upon a new State, I answer that you do. . . . You legislate in the shape of terms and conditions prospectively; and you so legislate upon it that when it comes into the Union it is bound by a contract degrading and diminishing its

sovereignty. . . . Is the right to hold slaves a right which Massachusetts enjoys? If it is, Massachusetts is under this Union in a different character from Missouri. The compact of the union for it is different from the same compact of union for Missouri. . . . To admit or not is for you to decide. Admission once conceded, it follows as a corollary that you must take the new State as an equal companion with its fellows. . . .

The Abolitionists

While statesmen were arguing in Congress on the right of the central government to restrict the spread of slavery, and abolitionists were clamoring for immediate and uncompensated emancipation, a practical, but, as it proved, pitiably inadequate, attempt was being made to relieve the situation in the South by the transportation of free negroes and manumitted slaves to the colony of Liberia on the western coast of Africa. Following a suggestion made as early as 1781 by Thomas Jefferson,[1] and repeatedly endorsed by state

73. A report from Liberia, 1828 [316]

[1] In his Notes on Virginia (ed. 1787, pp. 228–229), Jefferson outlines some desirable changes in the Constitution of the State, among which are the following: "To emancipate all slaves born after passing the act . . . and further directing that they should continue with their parents to a certain age, then be brought up, at the public expence, to tillage, arts, or sciences, according to their geniusses, till the females should be eighteen, and the males twenty-one years of age, when they should be colonized to such place as the circumstances of the time should render most proper, sending them out with arms, implements of household, and of the handicraft arts, seeds, pairs of the useful domestic animals, &c., to declare them a free and independant people, and to extend to them our alliance and protection, till they shall have acquired strength. . . . It will probably be asked, Why not retain and incorporate the blacks into the State? . . . Deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions which will probably never end but in the extermination of the one or the other race."

legislatures both North and South, the American Colonization Society was formed at Washington, early in 1817; and on March 3, 1819, President Monroe signed a bill which authorized him "to make such regulations and arrangements as he may deem expedient for the safe-keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of color as may be delivered and brought within their jurisdiction;[1] and to appoint a proper person or persons residing on the coast of Africa as agent or agents for receiving the negroes. . . ." An appropriation of $100,000 was made for carrying out the act of Congress. With the aid of the Colonization Society, the ship *Elizabeth* was chartered and a company of eighty-six negroes from various states embarked for Africa in the brave attempt to turn the tide of negro migration, which for two hundred years had flowed to the shores of the western world. The *Elizabeth* sailed from New York harbor on the 6th of February, 1820, five days before John Quincy Adams "went up to the Capitol and heard Mr. King" on the Missouri question. After two discouraging years of danger and disease, which read like the early history of Jamestown or Plymouth, the little colony was established. As a political experiment of self-government among a small population of picked negroes the

[1] This refers to "recaptured Africans," or negroes confiscated by the government for being illegally landed at Southern ports. The act of 1807 had imposed fines of $20,000 for equipping a slave vessel, $5000 for transporting negroes to the United States to be sold as slaves, and $800 for purchasing any such negro as a slave. Still many slaves were imported, and often sold under conditions making it profitable for the owner to have landed them and paid the fine. The student will gain some idea of why the Southerner was willing to support almost any scheme for the removal of the free negroes, by reading the exciting story of Denmark Vesey in the *Atlantic Monthly*, Vol. VII, pp. 728–744.

Republic of Liberia has considerable interest; but its influence on the slavery problem or the race question in the South has been imperceptible. Dr. Richard Randall, agent of the Society, submitted the following report:

Monrovia,[1] Dec. 28, 1828

To the Board of Managers of the American Colonization Society, Washington City.

GENTLEMEN:

. . . I am much pleased with the climate, location, fertility, and population of Liberia. The climate is at this season most delightful. It is not very warm during the day, and at night it is cool enough to sleep with comfort under a blanket. Though this is considered the sickly season, we have but little disease, and none of an alarming character. . . . I consider the town of Monrovia quite as healthy as any of our southern cities. . . .

The location of Monrovia is the most delightful that can be imagined. Since the woods have been cleared away on the south side of the peninsula, our town is in full view from the ocean, and has really a most imposing appearance. . . . Whatever be the final success of our colonizing operations, nothing but some most unfortunate disaster can prevent this becoming one of the most important commercial cities on the African coast. . . . Most of the settlers have good houses, and all of them have flourishing plantations of rice, cassaba, plantains, and potatoes, with many other fruits and vegetables. . . . The lands on both sides of Stocton Creek are of the very best quality; being a rich, light alluvion, equal in every respect to the best lands on the southern rivers of the United States. . . .

If I had under my direction an armed vessel, with 40 men, principally black sailors from the United States, I could pledge myself that the slave-trade should not be carried on in the neighborhood of this Colony. From all I can learn here, I am induced

[1] The names of Liberia ("free state") and its capital Monrovia (after President Monroe) were both suggested by Robert Harper of Maryland, an enthusiastic supporter of the Colonization Society, in 1824. After the Civil War broke out, the United States recognized the Republic of Liberia (1862).

to believe that the slave-trade is now carried on . . . to a greater extent than it has been for many years. . . . The slavers are generally fitted out in the island of Cuba, or Brazil, and land their cargoes, and establish factories [headquarters] for the collection of slaves, at some convenient spot, whilst the vessels cruise off and on with perfect impunity from the English, French, and other cruizers, who cannot capture them, unless they have the slaves actually on board; and as soon as the coast is clear, and while the wind is fair, they get their slaves on board, and being generally fast sailers, they defy all pursuers. . . .

The Colonists, I find, are much alarmed at the idea of incensing these people, who are so powerful, lest they should injure them by cutting up their commerce on this coast. It will be recollected by the Society, that there has been no American vessel cruising on this coast for many years. The *Ontario* stopped here a short time last year, and the *Shark*, which is now here, is only authorized to delay for the reception of my despatches to the Navy Department. I hope the Board will urge upon the Government the necessity of keeping a vessel on this coast. I will pledge my medical reputation, that it can be done with but little risk from disease, if proper precautions are used. . . . The activity of our squadron during the last two or three years has driven the pirates entirely from the West Indies, and the Gulph of Mexico, and we have every reason to believe, that the same set are now engaged on this coast in the double capacity of pirates and slavers. . . .

The trade of this place is now very considerable, and is becoming greater every day. . . . Besides six or eight smaller decked vessels, we now have belonging to the Colony two large schooners, the one above 30, the other above 40 tons, employed in the coasting trade. I have enclosed certified statements of the exports from this place during the year 1828, by two of our principal commission merchants. I have not yet been able to get statements from the others, but presume that the whole may be estimated at 60 or $70,000. . . .

Emigrants from the Southern States should arrive at Liberia in November, December, or January; so as to have the whole of the dry season to build their houses, clear their lands, and

plant their crops, by the commencement of the rainy season. From the North, they should leave the United States early in the summer, so as to have several months of the cool season to get accustomed to the climate. Mechanics should bring the implements of their trades, and those who are to farm should have axes, hatchets, hoes, spades, and short strong cutlasses, to cut away the bushes. All should have a supply of clothing, for at least two years, and a few small, light cooking utensils. No family to be sent out without having a good proportion of strong young men and women. . . . Mechanics, such as carpenters, masons, shoe-makers, and boat-builders, are much in demand. A half-dozen of the latter could get constant employment and good wages. Men or women who can give instruction in reading and writing will be invaluable. . . .

I have the honor to be,
Gentlemen, respectfully
Your Ob't Servant,
Richard Randall, *Colonial Agent*

74. The "peculiar institution" [324]

The following extracts are chosen out of a great number of statutes, resolutions, petitions, and controversies which fill the fateful decade opened by the debates on the Missouri Compromise, to illustrate how suddenly and seriously the South realized the import of the interference of the national government with slavery, and recoiled from the touch of "Northern meddlers" (abolitionists, restrictionists, colonizers) on what she was willing herself to confess was a social sore in her body — the "peculiar institution" of slavery.[1] "Practically every one in the South," says Professor Callender, "was impressed by the dangers that would arise from liberating the slaves and leaving them as a part of Southern society. . . . This fact was not sufficient to make all Southerners *pro-slavery*, in the sense that they regarded

[1] The student must bear in mind that the irritation between North and South was still further aggravated in the decade 1820–30 by the bitter tariff controversy. See above, No. 66, especially p. 261, note.

slavery as a good in itself; . . . but it was quite sufficient to make them *anti-abolition*, and to keep them so for an indefinite period." [1]

(*a*)

FROM A MESSAGE OF GOVERNOR J. L. WILSON TO THE LEGISLATURE OF SOUTH CAROLINA, DECEMBER 1, 1824

. . . There should be a spirit of concert and of action among the slave-holding states, and a determined resistance to any violation of their local institutions. The crisis seems to have arrived when we are called upon to protect ourselves. The president of the United States and his law adviser, so far from resisting the efforts of a foreign ministry, appear to be disposed, by an argument drawn from the overwhelming powers of the general government, to make us the passive instruments of a policy, at war, not only with our interests, but destructive also of our national existence.[2] The evils of slavery have been visited upon us by the cupidity of those who are now the champions of universal emancipation.[3] A firm determination to resist, at the threshold, every invasion of our domestic tranquillity, and to preserve our sovereignty and independence as a state, is earnestly recommended; and if an appeal to the first principles of the right of self-government be disregarded, and reason be successfully combatted by sophistry and error, there would be more glory in forming a rampart with our bodies on the confines of our territory, than to be the victims of a successful [slave] rebellion, or the slaves of a great consolidated government.

[1] G. S. Callender, Selections from the Economic History of the United States, 1765–1860, p. 739.

[2] This sentence refers to a controversy over an act passed by South Carolina early in 1823, authorizing the seizure and imprisonment of free negroes brought into the ports of the state as a part of the crew of any foreign vessel. Stratford Canning, the British Minister at Washington, protested, and Attorney-General Wirt handed Secretary Adams his opinion that the act of South Carolina, infringing the right of Congress to "regulate commerce with foreign nations," was void. The documents are in *Niles' Register*, Vol. XXVII, pp. 261–264.

[3] Referring to the interests of the New England merchants and rum-distillers in the slave trade in colonial times.

(*b*)

FROM A MESSAGE OF GOVERNOR TROUP TO THE LEGISLATURE OF GEORGIA, MAY 23, 1825

Since your last meeting, our feelings have been again outraged by officious and impertinent intermeddlings with our domestic concerns.[1] . . . Soon, very soon, therefore, the United States Government, discarding the mask, will openly lend itself to a combination of fanatics for the destruction of everything valuable in the Southern country; one movement of the Congress unresisted by you, and all is lost. Temporize no longer — make known your resolution that this subject [slavery] shall not be touched by them, but at their peril; but for its sacred guaranty by the Constitution, we never would have become parties to that instrument. . . . If this matter [slavery] be an evil, it is our own — if it be a sin, we can implore the forgiveness of it — to remove it we ask not even their sympathy or assistance. . . . I entreat you, therefore, most earnestly, now that it is not too late, to step forth, and having exhausted the argument, to stand by your arms.

(*c*)

RESOLUTION OF THE LEGISLATURE OF GEORGIA, DECEMBER 28, 1827

. . . Your committee cannot avoid reprobating the cold-blooded selfishness, or unthinking zeal, which actuates many of our fellow-citizens in other states, to an interference with our local concerns and domestic relations, totally unwarranted either by humanity or by constitutional right. Such interference is becoming every day more determined and more alarming. It commenced with a few unthinking zealots, who formed themselves into abolition societies; was seized upon by more cunning and designing men for political purposes; and is now supported

[1] Referring to a bill proposed in the Senate, February 18, 1825, by Rufus King, for the application of funds received from the sale of public lands to the purchase of slaves from their masters and their colonization, along with free negroes, in the settlement of Liberia.

by more than one of the States. . . . The result of such interference, if persevered in, is awful and inevitable. The people of Georgia know and feel strongly the advantages of the federal Union. As members of that Union they are proud of its greatness — as children born under that Union, they love it with filial affection — as parties of that Union, they will ever defend it from foes, internal or external; but they cannot and will not, even for the preservation of that Union, permit their rights to be assailed — they will not permit their property to be rendered worthless — they will not permit their country to be made waste and desolate, "by those who come among us under the cloak of a time-serving and hypocritical benevolence." . . . How, then, is this evil to be remedied? Only by a firm and determined union of the people and the States of the South, declaring through their legislative bodies, in a voice which must be heard, that they are ready and willing to make any sacrifice rather than submit longer to such ruinous interference; and warning their enemies that they are unwittingly preparing a mine, which once exploded, will lay our much-loved country in one common ruin. Your committee hope that such a calamity is yet far distant, and that there is still remaining in the Congress of the Union sufficient discretion, intelligence, and patriotism to avert it altogether. With that hope, they deem it unnecessary now to do more than recommend the adoption of the following resolutions:

Resolved, by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the Congress of the United States have no constitutional power to appropriate moneys to aid the American Colonization Society, or for objects to effect which that Society was established.[1] . . .

[1] Nothing could show more strikingly the progress of the spirit of apprehension in the South in the decade following the Missouri Compromise than the comparison of this resolution with the commendation, ten years earlier, of the objects of the American Colonization Society, in an editorial in the influential *Georgia Journal* (January 1, 1817): "If the Government [of the United States] will find means of conveying out of the country such slaves as may be emancipated," it concludes, "and would likewise purchase annually a certain number . . . for transportation, it is believed our black population would soon become harmless,

(*d*)

RESOLUTION OF THE LEGISLATURE OF SOUTH CAROLINA

. . . Should Congress claim the power to discuss and take a vote upon any question connected with domestic slavery of the Southern States, it is not for your committee to prescribe what course ought to be adopted to counteract the evil and dangerous tendency of public discussions of this nature. The minds of our citizens are already made up that if such discussion appertain as a matter of right to Congress, it will be neither more nor less than the commencement of a system by which the peculiar policy of South Carolina, upon which is predicated her resources and her prosperity, will be shaken to its very foundation. In the opinion of your committee, there is nothing in the catalogue of human ills which may not be preferred to that state of affairs in which the slaves of our state shall be encouraged to look for any melioration of their condition to any other body than the Legislature of South Carolina. Your committee forbear to dwell on this subject. It is a subject on which no subject of South Carolina needs instruction. One common feeling inspires us all with a firm determination not to submit to a species of legislation which would light up such fires of intestine commotion in our borders as ultimately to consume our country.

The distinguished French scholar and statesman Alexis de Tocqueville, who visited America in 1831, wrote sympathetically of the dilemma with which the South believed itself to be face to face — namely, the maintenance of slavery or the ruin of society.

I am obliged to confess that I do not regard the abolition of slavery as a means of warding off the struggle of the two races

if not extinct. To the importance of such an object, the expense will bear no comparison; and a more favorable period than the present for its accomplishment can scarcely be expected." — A Documentary History of American Industrial Society, Vol. II, ed. U. B. Phillips, p. 158.

in the Southern States. The Negroes may long remain slaves without complaining; but if they are once raised to the level of freemen, they will soon revolt at being deprived of almost all their civil rights; and, as they cannot become the equals of the whites, they will speedily show themselves as enemies. In the North, everything facilitated the emancipation of the slaves; and slavery was abolished without rendering the free Negroes formidable, since their number was too small for them ever to claim their rights. But such is not the case in the South. The question of slavery was a commercial and manufacturing question for the slave-owners in the North; for those of the South, it is a question of life and death. God forbid that I should seek to justify the principle of Negro slavery, as has been done by some American writers! I say only, that all the countries which formerly adopted that execrable principle are not equally able to abandon it at the present time.

When I contemplate the condition of the South, I can only discover two modes of action for the white inhabitants of those States; viz. either to emancipate the Negroes, and to intermingle with them, or, remaining isolated from them, to keep them in slavery as long as possible. All intermediate measures seem to me likely to terminate, and that shortly, in the most horrible of civil wars, and perhaps in the extirpation of one or the other of the two races. Such is the view which the Americans of the South take of the question, and they act consistently with it. As they are determined not to mingle with the Negroes, they refuse to emancipate them.

Not that the inhabitants of the South regard slavery as necessary to the wealth of the planter; on this point many of them agree with their Northern countrymen, in freely admitting that slavery is prejudicial to their interests; but they are convinced that the removal of this evil would peril their own existence. . . . Hence arises a singular contrast; the more the utility of slavery is contested, the more firmly it is established in the laws; and whilst its principle is gradually abolished in the North, that self-same principle gives rise to more and more vigorous consequences in the South.

If it be impossible to anticipate a period at which the Americans of the South will mingle their blood with that of the Negroes, can they allow their slaves to become free without compromising their own security? And if they are obliged to keep that race in bondage in order to save their own families, may they not be excused for availing themselves of the means best adapted to that end? The events which are taking place in the Southern States appear to me to be at once the most horrible and the most natural results of slavery. When I see the order of nature overthrown, and when I hear the cry of humanity in its vain struggle against the laws, my indignation does not light upon the men of our own time who are the instruments of these outrages; but I reserve my execration for those who, after a thousand years of freedom, brought back slavery into the world once more.

Whatever may be the efforts of the Americans of the South to maintain slavery, they will not always succeed. Slavery, now confined to a single tract of the civilized earth, attacked by Christianity as unjust, and by political economy as prejudicial, and now contrasted with democratic liberty and the intelligence of our age, cannot survive. By the act of the master, or by the will of the slave, it will cease; and in either case, great calamities may be expected to ensue. If liberty be refused to the Negroes of the South, they will, in the end, forcibly seize it for themselves; if it be given, they will, erelong, abuse it.[1]

[1] This entire passage shows how futile it is for a historian, even if he have the genius of a De Tocqueville, to indulge in prophecy, and especially to prophesy in dilemmas. The negro was set at liberty neither by the act of the master nor by the will of the slave; he probably desired freedom as little, on the whole, as he has abused it; and as for the fundamental dilemma on which the whole discussion of De Tocqueville rests — slavery or amalgamation — the two races have lived side by side for half a century without prejudice to the integrity and supremacy of the whites.

CHAPTER XII

TEXAS

The "Reoccupation" of Oregon and the "Reannexation" of Texas

75. British interference in Texas, 1843-1844 [338]

One of the chief reasons for the negotiation, in April, 1844, by Calhoun, of the treaty for the annexation of Texas[1] was the alleged interference of England with that republic, especially in the interests of the abolition of slavery. The following extracts from a London newspaper of August 19, 1843, and the correspondence between Calhoun and the British minister at Washington, Richard Packenham, show the grounds for Southern apprehension:

Texas. — In the House of Lords, on Friday, the 18th August, Lord Brougham introduced the subject of Texas and Texan slavery in the following manner:

Lord Brougham said that, seeing his noble friend at the head of the Foreign Department[2] in his place, he wished to obtain some information from him relative to a State of great interest at the present time, namely, Texas. That country was in a state of independence, *de facto*, but its independence had never been acknowledged by Mexico, the State from which it was torn by the events of the revolution. He was aware that its independence had been so far acknowledged by this country [England] that we had a treaty with it.

The importance of Texas could not be under[over]rated. It was a country of the greatest capabilities, and was in extent

[1] For the fate of the treaty see Muzzey, An American History, p. 339.

[2] Lord Aberdeen, Secretary of State for Foreign Affairs in the cabinet of Sir Robert Peel.

fully as large as France. It possessed a soil of the finest and most fertile character, and it was capable of producing nearly all tropical produce, and its climate was of the most healthy character. It had access to the Gulf of Mexico through the River Mississippi, with which it communicated by means of the Red River. . . . He was grieved to learn that not less than one fourth of the population, or 25,000 persons, were in a state of slavery. This point led him to the foundation of the question which he wished to put to his noble friend. There was very little or no slave trade carried on with Texas from Africa, directly; but a large number of slaves were constantly being sent overland to that country. Although the larger part of the land in Texas was well adapted for white labor, and therefore for free cultivation, still the people of that country, by some strange infatuation, or by some inordinate love of immediate gain, preferred slave labor to free labor. As all access to the African slave market was shut out to them, their market for slaves was the United States, from whence they obtained a large supply of negro slaves. . . . This made him irresistibly anxious for the abolition of slavery in Texas: for if it were abolished there, not only would that country be cultivated by free and white labor, but it would put a stop to the habit of breeding slaves for the Texan market. . . . He therefore looked forward most anxiously to the abolition of slavery in Texas, as he was convinced that it would ultimately end in the abolition of slavery throughout the whole of America. He knew that the Texans would do much, as regarded the abolition of slavery, if Mexico could be induced to recognize their independence. If therefore by our good offices we could get the Mexican government to acknowledge the independence of Texas, he would suggest a hope that it might terminate in the abolition of slavery in Texas, and ultimately the whole of the Southern States of America. . . .

The Earl of Aberdeen, in reply, said that he could state that not only had this country acknowledged the independence of Texas, but also that we had a treaty of commerce and a treaty for the abolition of the slave trade with that power. . . . He was unable to say that there was an immediate prospect of obtaining the recognition of the independence of Texas on the part of

Mexico but . . . an armistice had been established between the two powers; and he hoped that this would lead to the absolute acknowledgement of the independence of Texas by Mexico. . . . He was sure that he need hardly say that no one was more anxious than himself to see the abolition of slavery in Texas; and if he could not produce papers or give further information, it did not arise from indifference. . . . He could assure his noble friend that, by means of urging the negotiations, as well as by every other means in their power, Her Majesty's ministers would press this matter.

Lord Brougham observed that nothing could be more satisfactory than the statement of his noble friend, which would be received with joy by all who were favorable to the object of the anti-slavery societies.

Somewhat disturbed by this report, and other indications of British solicitude for the condition of Texas,[1] our minister in England, Edward Everett, told Lord Aberdeen that "he must not be surprised at the interest taken in the subject by the United States, when he remembered that Texas and the United States were border countries, and the necessary effect of the abolition in Texas, on slavery as existing in the Union." Our State Department was less bland. Secretary Upshur opened negotiations in October, 1843, with Texas, looking toward a treaty of annexation, and, on Upshur's death (February, 1844), his

[1] Two months before this interpellation in the House of Lords a delegation of Americans (mostly from New England), attending a convention in London, waited on Lord Aberdeen to propose that the British government make a loan, based on the security of the public lands in Texas, for the purchase of the slaves in the state. Aberdeen stated to Everett that "he gave them no countenance whatever," but yet that he "informed them that, by every proper means of influence" he would encourage the abolition of slavery, and that he "had recommended the Mexican Government to interest itself in the matter." The influence of England in Mexico was very strong (see J. Q. Adams, Memoirs, Vol. XI, pp. 340, 347, 351, 355).

successor, Calhoun, completed the work. Meanwhile England was protesting her innocence of any plan of aggression in Texas. On February 26, 1844, Packenham submitted to our Secretary of State the following paper from Lord Aberdeen, dated December 26, 1843:

SIR: — As much agitation appears to have prevailed of late in the United States relative to the designs which Great Britain is supposed to entertain with regard to the Republic of Texas, Her Majesty's government deem it expedient to take measures for stopping at once the misrepresentations which have been circulated, and the errors into which the Government of the United States seems to have fallen on the subject of the policy of Great Britain with respect to Texas. That policy is clear and simple, and may be stated in a few words.

Great Britain has recognized the independence of Texas, and, having done so, she is desirous of seeing that independence finally and formally established, and generally recognized, especially by Mexico. . . . But we have no occult design, either with reference to any particular influence which we might seek to establish in Mexico, or even with reference to slavery which now exists, and which we desire to see abolished in Texas.

With regard to the latter point, it must be and is well known, both to the United States and to the whole world, that Great Britain desires, and is constantly exerting herself to procure, the general abolition of slavery throughout the world. But the means which she has adopted, and will continue to adopt, for this humane and virtuous purpose, are open and undisguised. She will do nothing secretly or underhand. She desires that her motives may be generally understood, and her acts seen by all.

With regard to Texas, we avow that we wish to see slavery abolished there, as elsewhere; and we should rejoice if the recognition of that country by the Mexican Government should be accompanied on the part of Texas by an engagement to abolish slavery eventually, and under proper conditions, throughout the Republic. . . .

The British Government, as the United States well know, have never sought in any way to stir up disaffection or excitement of any kind in the slave-holding States of the American Union. . . . To that wise and just policy we shall continue to adhere; and the Governments of the slave-holding States may be assured that, although we shall not desist from those open and honest efforts which we have constantly made for procuring the abolition of slavery throughout the world, we shall neither openly nor secretly resort to any measures which can tend to disturb their internal tranquillity, or thereby affect the prosperity of the American Union.

You will communicate this despatch to the United States Secretary of State, and, if he should desire it, you will leave a copy of it with him.

I am, etc.

Aberdeen

Calhoun's reply to this frank note of disclaimer was not made until the treaty for the annexation of Texas was signed and ready to submit to the Senate (April 12). Then under date of April 18, 1844, he writes to acknowledge Aberdeen's communication:

. . . The undersigned is directed by the President to inform the Right Honorable Mr. Packenham, that, while he regards with pleasure the disavowal of Lord Aberdeen of any intention on the part of Her Majesty's Government "to resort to any measures, either openly or secretly, which can tend to disturb the internal tranquillity of the slaveholding States, and thereby affect the tranquillity of this Union," he at the same time regards with deep concern the avowal, for the first time made to this government, "that Great Britain desires and is constantly exerting herself to procure the general abolition of slavery throughout the world."

So long as Great Britain confined her policy to the abolition of slavery in her own possessions and colonies, no other country had a right to complain. It belonged to her exclusively to determine, according to her own views of policy, whether it should be done or not. But when she goes beyond, and avows it as

her settled policy, and the object of her constant exertions, to abolish it throughout the world, she makes it the duty of all other countries, whose safety or prosperity may be endangered by her policy, to adopt such measures as they may deem necessary for their protection.

It is with still deeper concern that the President regards the avowal of Lord Aberdeen of the desire of Great Britain to see slavery abolished in Texas, and, as he infers, is endeavoring through her diplomacy, to accomplish it, by making the abolition of slavery one of the conditions on which Mexico should acknowledge her independence. It has confirmed his previous impressions as to the policy of Great Britain in reference to Texas, and made it his duty to examine with much care and solicitude what would be its effects on the prosperity and safety of the United States, should she succeed in her endeavors. . . . It is sufficient to say that the consummation of the avowed object of her wishes in reference to Texas would be followed by hostile feelings and relations between that country and the United States, which could not fail to place her [Texas] under the influence and control of Great Britain. This, from the geographical position of Texas, would expose the weakest and most vulnerable portion of our frontier to inroads, and place in the power of Great Britain the most efficient means of effecting in the neighboring States of the Union what she avows to be her desire to do in all countries where slavery exists. . . .

It is well known that Texas has long desired to be annexed to this Union; that her people, at the time of the adoption of her Constitution, expressed, by an almost unanimous vote,[1] her desire to that effect: and that she has never ceased to desire it, as the most certain means of promoting her safety and prosperity. The United States have heretofore declined to meet her wishes; but the time has now arrived when they can no longer refuse.[2] . . . Nor are they in any way responsible for the circumstances which have imposed this obligation on them. They

[1] There were but ninety-three votes cast against annexation by the people of Texas in 1836.

[2] The student will remember that the treaty of annexation was already signed when Calhoun sent this letter.

had no agency in bringing about the state of things which has terminated in the separation of Texas from Mexico.[1] It was the Spanish Government and Mexico herself which invited and offered high inducements to our citizens to colonize Texas. . . . It is true, the United States, at an early period, recognized the independence of Texas; but in doing so they but acted in conformity with an established principle to recognize the Government *de facto*. . . .

J. C. Calhoun

76. An abolitionist on annexation, January 22, 1845

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The presidential campaign of 1844 turned wholly on the issue of Texas, the logical candidates in each party writing letters on the subject which cost the one (Van Buren, Democrat) the nomination, and the other (Henry Clay, Whig) the election.[2] When the country seemed to indorse the policy of annexation, by the election of Polk in November, the free-soilers made a desperate but unavailing fight to avert what they considered the greatest calamity that had threatened the nation since its birth. Joshua Giddings, elected to Congress in 1838 as its first abolitionist member, spoke as follows in the House, January 22, 1845:

. . . The President in his message says, that "the annexation of Texas to the United States will give Mexico no just cause of offence."[3] We are all conscious that a state of war now exists

[1] Van Buren, in his letter on Texas, April 20, 1844, says: "Nothing is either more true or more extensively known than that Texas was wrested from Mexico, and her independence established, through the instrumentality of citizens of the United States." *Niles' Register*, Vol. LXVI, p. 156.

[2] The letters of Clay and Van Buren may be found in *Niles' Register*, Vol. LXVI, pp. 152–157.

[3] In his annual message of December 3, 1844, President Tyler said: "Mexico has no just ground of displeasure against this government or people for the negotiation of the treaty [that is, Calhoun's treaty of April 12, 1844]. What interest of hers was affected by the treaty? She was despoiled of nothing, since Texas was forever lost to her. The

between Texas and Mexico. By entering into the proposed union with Texas, we shall become obligated to defend her. And when the armies of Mexico invade Texas, we must of course send our army and navy to repel such invasion. This interference will constitute us the aggressors. We shall thus make the war of Texas *our* war; and our sons will be liable to march to that country to fight the battles of Texas, to shed their blood, and leave their bones to whiten upon her plains, in order that slavery may continue and the slave-trade flourish.[1] . . .

During the late political campaign, in some of the slave-breeding States these objects were eloquently urged. . . . This same object of maintaining the slave-trade was avowed in the other end of this capitol by a distinguished Senator [Mr. M^cDuffie, of South Carolina], who, after stating the increase of slaves in the Southern States, remarked:

"Now if we shall annex Texas, it will operate as a safety-valve to let off this superabundant slave population from among us."

And the same doctrine was advanced on this floor by gentlemen from the slave States who boldly avowed that "slavery must be maintained in Texas, or it must cease to exist in the United States." . . .

I will detain the committee for a moment, by calling their attention to the peculiar attitude in which we, as a nation, are now placed before the civilized world. England has abolished slavery in her dominions. France is already moving upon that subject, and Denmark has taken the incipient steps for setting

independence of Texas was recognized by several of the leading powers of the earth. She was free to treat, free to adopt her own line of policy, free to take the course she believed was best calculated to secure her happiness." — J. D. Richardson, Messages and Papers of the Presidents, Vol. IV, p. 342.

[1] The abolitionists maintained that the sole object of the annexation of Texas was the extension of the slave area. The fact that many pro-slavery men voted against Calhoun's treaty of annexation disproves this view. James Russell Lowell in his stirring poem, "The Present Crisis," which was inspired by the annexation policy of 1844, expresses the view thus:

> "Slavery, the earth-born Cyclops, fellest of the giant brood . . .
> Famished in his self-made desert, blinded by our purer day,
> Gropes in *yet unblasted regions* for his miserable prey."

her slaves free. So palpable are the turpitude and disgrace of holding slaves, that even semi-barbarous nations are, at this day, lustrating themselves from its moral contagion. The Bey of Tripoli, in his decree prohibiting the slave-trade, which our honorable Secretary of State [Calhoun] is so anxious to maintain, declared that he did it "for the honor of man and the glory of God." But while the Bey of Tripoli and the Pacha of Egypt are extending the enjoyment of civil liberty, this government is openly engaged in endeavoring to extend the institution of *slavery*. . . .

Our representatives in 1776 declared the right of man to the enjoyment of his liberty to be self-evident, while our Executive in 1844 declares the progress of human liberty in a neighboring government to be highly dangerous to our prosperity. Of all the civilized nations of the earth, ours alone now stands as the advocate of negro slavery. The spectacle is humiliating. . . .

Our honorable Secretary of State urges upon Mr. King [United States minister at Paris] and the French government that the abolition of slavery "has diminished the exports of the British West India Islands"; and he infers that it would have the same effect in this country, if our States were to follow their example in respect to emancipation. Now, Sir, the argument is not legitimate. It places pecuniary profit in the scale against the natural rights of man, and gives preponderance to the former. Go to the thief who lives and thrives by his midnight larcenies; remonstrate with him; tell him that the property of his neighbors *of right* belongs to them, and that he ought not feloniously to take it,—he may turn round, and, in the language of our honorable Secretary, say to you, that were he to adopt your ideas of justice, and cease his thefts, "his exports would be diminished." . . . His excuse would not mitigate his crimes; nay, it would aggravate his guilt. So with our Secretary's argument. If slavery be opposed to the natural rights of men; if it be a self-evident truth that "man is born free," . . . then it is a crime for us to rob him of his God-given rights, although it may thereby "increase our exports." . . .

General Jackson and others say that it is necessary that we should have Texas as a means of national defence. I reply that

every addition of Slave territory renders us weaker, and places a heavier burden on the free States. This extending slavery at the expense of our free States, is what the honorable Secretary regards as *economy*. If Southern gentlemen regard it in that light, I may be permitted to assure them that we of the North look upon its economical bearings as altogether unfavorable to our interests. We are bound by the Constitution to defend the Southern States in case of invasion, or of domestic violence. That stipulation we will perform to the letter; but there we stop — we go no further. We will not take upon ourselves any obligation to protect the slaveholders of Texas. . . .

The pecuniary bearings of slavery were well illustrated in the Florida War, which was commenced and prosecuted in order to recapture the fugitive slaves who had sought an asylum in that territory.[1] It was carried on for seven years, at an expenditure of forty million dollars, and some hundreds of lives, in order to capture and return to their owners some five hundred slaves; making *each slave* cost the nation about *eighty thousand dollars*, mostly taken from the pockets of Northern freemen. This is the economy of slavery. Sir, I object to placing ourselves in a situation to be called upon to catch the runaway slaves of Texas. If this be economy, may Heaven save us from its extension. . . .

Gentlemen here become pathetic upon the sufferings to which the people of Texas have been subjected during their war with Mexico. They speak in melting terms of the predatory warfare heretofore carried on against Texas, and they ask the people of our free States to relieve them from Mexican barbarity. Why, Sir, there is more human suffering in this city every year by reason of the slave-trade, than has been endured by the whole people of Texas during their entire revolution of eight years. The consumption of human life attendant and consequent upon the slave-trade *in this district*, is greater every year than it has been in Texas during any period of their war with Mexico. It should be borne in mind that this slave trade is authorized and maintained *by act of Congress*, which the advocates of annexation

[1] This was but one of several causes of the Florida War. See Muzzey, An American History, pp. 237–239.

refuse to repeal. . . . Gentlemen on this floor, whose hearts are unmoved by all the suffering of the slave population here, and by all the blood that is annually shed in this district, become eloquent upon the sufferings endured by the people of Texas. They are willing to spend the national treasure, and pour out American blood to protect the Texans, while they will authorize *by law* all those crimes and outrages and all the violence and bloodshed attendant upon the slave-trade in this district. Indeed, they are striving to extend and perpetuate those crimes in Texas, under the plea of "*extending the area of freedom.*" . . .

The momentous questions of Liberty and Slavery are now before the people of this nation. They have been forced upon us by the slave-holders of the South. Northern men cannot, will not, shrink from the discussion. They have become the great absorbing topics in this hall, in most of our State legislatures, and by the people of the United States generally. Public indignation at these attempts to involve us in the crimes and disgrace of slavery, is already awakened. It is rolling forward with an irresistible force; which, ere long, will redeem and purify the people of the North from the crimes and the corroding influence of that blood-stained institution. The car of universal liberty is moving; it has acquired a momentum that cannot be stopped; and those who throw themselves before it, in order to obstruct its progress, will be crushed beneath its resistless power.

77. Benton's attack on the "Fifty-four-Forties," May 22, 1846

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Probably no other claim of our government was ever based on a weaker foundation, urged with more vociferous pretensions, or abandoned with more complacent haste, than the claim of the Democratic platform of 1844 to "the whole of Oregon" up to parallel 54° 40′.[1] Thomas H.

[1] The plain facts of the case were these: by the treaty of 1819 Spain's claims to the north on the Pacific coast were limited to 42°; by treaties of 1824 and 1825 Russia's claims to the south on the Pacific coast were limited to 54° 40′. The region between 42° and 54° 40′ was occupied jointly by Great Britain and the United States, first for ten years, by treaty of 1818, then for an indefinite period, by treaty of 1827. The latter treaty might be broken after 1828, by either nation's giving the other twelve months' notice. Although there were occasional proposals

Benton, whom we have already seen urging the occupation of the Columbia valley in 1825 (see No. 65, p. 258), championed the adoption of the forty-ninth parallel as the just boundary line as against the claims of the "Fifty-four-Forties," in a two days' speech in the Senate, May 22 and May 25, 1846.

MR. PRESIDENT, The bill before the Senate proposes to extend the sovereignty and jurisdiction of the United States over all our territories west of the Rocky Mountains, without saying what is the extent and what are the limits of this territory. This is wrong, in my opinion. We ought to define the limits within which our agents are to do such acts as this bill contemplates. . . . My object will be to show, if I can, the true extent and nature of our territorial claims beyond the Rocky Mountains, with a view to just and wise decisions; and in doing so, I shall endeavor to act upon the great maxim, "Ask nothing but what is right — submit to nothing that is wrong." . . .

It has been assumed for two years, and the assumption has been made the cause of all the Oregon excitement in the country, that we have a dividing line with Russia, made so by the convention of 1824, along the parallel of 54° 40′, from the sea to the Rocky Mountains, *up to which our title is good.* This is a great mistake. . . . The documents will prove that, so far as 54° 40′, from the sea to the mountains, was ever proposed

to end the joint occupation and fix a boundary line (at 49° or 51°) between the British and American shares of Oregon (such a proposal being made by Benton as early as 1828), still it was not until April 27, 1846, that a joint resolution of Congress gave President Polk the authority to notify England of the termination of the treaty of 1827; and that resolution was passed solely with the view to enforcing our arbitrary claim to parallel 54° 40′. The claim of the United States to 54° 40′ was first asserted by Tyler in his annual message of December 2, 1843 (Richardson, Messages and Papers, Vol. IV, p. 258), was taken up into the Democratic platform of 1844 (Stanwood, History of the Presidency, p. 215), and was reëchoed, in what Lord Russell called "a blustering announcement," in Polk's Inaugural Address of March 4, 1845 (Richardson, Messages and Papers, Vol. IV, p. 381).

as a northern boundary for any power, it was proposed by us for the British, and not for ourselves. . . .

Here is a despatch from Mr. Rush, our Minister in London, to Mr. Adams, Secretary of State, dated December 19, 1823: "I at once unfolded to him [Mr. Canning, foreign minister in Lord Liverpool's cabinet] the proposals of my Government, which were: 1. That as regarded the country lying between the Stony [Rocky] Mountains and the Pacific Ocean, Great Britain, the United States, and Russia should jointly enter into a convention . . . by which the whole of that country westward of the Stony Mountains, with all its waters, would be free and open to the citizens and subjects of the three Powers . . . for the term of ten years. 2. That the United States were willing to stipulate to make no settlements north of 51°, . . . provided Great Britain stipulated to make none south of 51° or north of 55°, and Russia to make none south of 55°." Here is the offer, in most explicit terms in 1823, to make 55° (which was in fact 54° 40′) the northern boundary of Great Britain. . . .

Yet that makes no difference in the philosophy of our Fifty-four-Forties. . . . Their notion is that we go jam up to 54° 40′, and the Russians come jam down to the same line, leaving no place for the British Lion to put down a paw, although that paw should be no bigger than the sole of the dove's foot which sought a resting place from Noah's ark. This must seem a little strange to British statesmen, who do not grow so fast as to leave all knowledge behind them. They remember that Mr. Monroe and his Cabinet — the President and the Cabinet who acquired the Spanish title [1819] under which we now propose to squeeze them out of the continent — actually offered them six [?] degrees of latitude in that very place; and they will certainly want reasons for this so much compression now, where we offered them so much expansion then. These reasons cannot be given. There is no boundary at 54° 40′; and so far as we proposed to make it one, it was for the British, and not for ourselves.[1] And so ends this redoubtable line, up to which

[1] It is noteworthy that Canning, in rejecting the "tripartite convention" proposed by Rush, objected not to being confined to 50° at the south, but to being confined to 55° at the north. In other words

all true patriots were to march! and marching, fight! and fighting, die! if need be! singing all the while with Horace —

Dulce et decorum est pro patriâ mori
(Sweet and decent it is to die for one's country).

And this is the end of that great line! all gone — vanished — evaporated into thin air — and the place where it was not to be found. Oh! mountain that was delivered of a mouse, thy name shall henceforth be fifty-four forty! And thus, Mr. President, I trust I have exploded one of the errors into which the public mind has been led, and which it is necessary to get rid of before we can find the right place for our Oregon boundaries.

I proceed to another of the same family — the dogma of the unity and indivisibility of the Oregon title, and its resulting corollary of all or none. It is assumed by the "*friends of Oregon*" to be all one title, all the way from 42° up to 54° 40′ — no break in it; and consequently "*all or none*" is the only logical solution which our claim to it can receive. Well, this may be brave and patriotic, but is it wise and true? And can we, with clear consciences, and without regard to consequences, pass a law upon that principle, and send our agents there to execute it? These are the questions which present themselves to my mind, and in answering which I wish to keep before my eyes the first half of the great maxim — *ask nothing but what is right*. I answer, then, that our title to what is called all Oregon is not one, but several; that it consists of parts, and is good for part and bad for part; and that nothing just or wise can be determined in relation to it without separating these parts into their proper divisions and giving to each division the separate consideration and judgment which belongs to it. Thus the title to the Columbia River and its valley was complete before the claim to Frazer's River and its valley began; and the claim to the islands and coasts rests upon a different state of facts, and a different principle of national law, from that which applies to the Continent. . . .

Great Britain refused to let us fix *her* boundary with Russia at 55° (54° 40′). We were now claiming (in 1844) that 54° 40′ was *our* boundary with Russia. See Canning's dispatch (Rush to Adams) quoted in *Congressional Globe*, 29th Congress, 1st session, p. 852.

The valley of the Columbia is ours; ours by discovery, by settlement, and by the treaty of Utrecht! And has too often been so admitted by Great Britain, to admit of her disputing it now. I do not plead our title to that great country. I did that twenty years ago, when there were few to repeat or applaud what I said [see No. 65, p. 259]. I pass over the ground which I trod so long ago, and which has been again so much trodden of late, and take up the question at a fresh place — the admissions of Great Britain! and show that she is con[ex]cluded by her own acts and words from ever setting up any claim to the river and valley of the Columbia, or to any part of the territory south of the 49th degree. . . .

Up to that line, if it becomes necessary, I am willing to fight; but before fighting I want to talk — to talk understandingly, with a knowledge of the subject. . . . It is not new talk with me. Twenty-eight years ago, I wrote what I now speak. Eighteen years ago, and when I had already been eight years a member of this body, I submitted a resolution in relation to this Oregon question, which I have seen no reason to retract or modify since that time, and which may stand for the text of my speech this day. It was in these words. . . .

"*Resolved*, That it is expedient for the government of the United States to treat with his Brittanic Majesty, in reference to their claims and boundaries, west of the Rocky Mountains, upon the basis of a separation of interests, and the establishment of the 49th degree of north latitude as a permanent boundary between them, in the shortest possible time."

It was in the session of 1827–28, and before the ratification of the second partnership convention [1] — the one we are now determined to get rid of even at the price of war — and with the view of preventing the ratification of that convention, that this resolution was submitted. It presented my view of the settlement of this question, namely, no partnerships, the immediate establishment of a boundary, and the 49th parallel for that boundary. . . .

It is the line of all the American statesmen, without exception, twenty and forty years ago. It was the line of Mr. Canning in

[1] See p. 322, note.

1823. It is the line for the rejection of which by Mr. Packenham, without reference to his Government, Sir Robert Peel has lately, and publicly, in the face of the world, expressed regret.[1] It is

[1] The gist of the intricate Oregon negotiations is as follows: In the summer of 1844 (in spite of the "re-occupation" plank in the Democratic platform) Calhoun was corresponding with Packenham to secure the settlement of the Oregon boundary at 49°. The English rejected the terms, desiring the Columbia valley. Again, in July, 1845, Secretary of State Buchanan offered the boundary line of 49°, and again Packenham rudely rejected it, "without reference to his government." Buchanan then (August 30, 1845) withdrew the offer of 49°. As the Mexican trouble deepened, both the United States and England wished to avoid a clash of arms in Oregon. Sir Robert Peel, the British prime minister, expressed his regret for Packenham's hasty refusal, and several influential English newspapers spoke with favor of the line 49°. Finally (June 6, 1846) Buchanan received from the British minister a project for a treaty dividing Oregon at 49°; and Polk, after securing a favorable opinion on it from the Senate, concluded the bargain. In spite of Polk's "blustering announcement" in his inaugural address, claiming the whole of Oregon to 54° 40′, there are many indications in his Diary (see introduction to No. 78, p. 328) that he was at heart in favor of compromising on the line 49°. First, on October 24, 1845, he submitted to Benton (a well-known and determined advocate of 49°) the correspondence between Buchanan and Packenham, and told Benton that he had "reluctantly yielded his assent" to Buchanan to make the offer of July, 1845 (Diary, Vol. I, p. 69). Second, on December 9 he told Buchanan, who was anxious to settle with England on the line of 49°, that if the British government made the offer he "would consider what action it might be proper to take"; and that "he did not desire war" (Diary, Vol. I, p. 120). Third, on December 27 he secured from his cabinet the unanimous opinion that "if Mr. Packenham offered the 49° or a proposition equivalent to it," he should refer the offer to the Senate (Diary, Vol. I, p. 147). Fourth, on February 24, 1846, he listened to the plan of a group of Southern senators to bring forward a resolution asking him to compromise the Oregon question, and resented the threat of Senator Allen, a fifty-four-forty man, that if he compromised on Oregon he would injure his chances for reëlection in 1848 (Diary, Vol. I, pp. 246, 248). Fifth, on April 9 he promised Benton, who called with a British map on which parallel 49° was marked with dotted lines, that he would submit to the Senate any proposal from England to renew negotiations (Diary, Vol. I, p. 324). Sixth, finally, on May 3, he told Benton — the avowed champion of 49° — that "he would be gratified" if he would "take the matter in hand and press the Oregon jurisdiction bill through the Senate" (Diary, Vol. I, p. 377).

a line which we have never presented as an ultimatum; which we have often proposed gently, and which the British have as often gently shoved aside. . . . But now all this gentle and delusive work is done with. The joint use is to terminate — events advance — and the question must be settled now by reason and judgment, or it will soon settle itself by chance and arms. Forty-nine is the right line with me; and acting upon the second half of the great maxim: *Submit to nothing wrong!* I shall submit to no invasion or encroachment upon that line. . . . It is the line of *right*, which gives to us the Olympic district and its invaluable waters, and secures to us the river and valley of the Columbia. It is the fighting line of the United States. The UNION can be rallied on that line!

THE MEXICAN WAR

78. Leaves from Polk's "Diary": the Mexican War, 1846-1848

[342]

On August 25, 1845, President Polk had a conversation in his cabinet with his Secretary of State, James Buchanan, on the Oregon question. "This conversation," says Polk in his "Diary," just a year later, "was of so important a character, that I deemed it proper on the same evening to reduce the substance of it to writing. . . . It was this circumstance which first suggested to me the idea, if not the necessity, of keeping a journal or diary of events and transactions which might occur during my Presidency. I resolved to do so and accordingly procured a blank book for that purpose on the very next day, in which I have every day since noted whatever occurred that I deemed of interest."[1] The diary, filling twenty-five "blank books," and covering the period from August 26, 1845, to June 2, 1849, was kept in possession of the Polk family until 1901,[2] when it

[1] The Diary of James K. Polk, ed. M. M. Quaife, Vol. II, p. 101.

[2] Mrs. Polk lent the manuscript to the historian George Bancroft, who had a typewritten transcript made of it, which has been quite widely used, and which, on Bancroft's death, went to the Lenox Library in

was purchased by the Chicago Historical Society, by whom it was published, with notes by M. M. Quaife, in four volumes, in 1910. We select some passages touching the Mexican War:

Friday, 29th August, 1845 — The President called a special meeting of the Cabinet at 12 O'clock, all the members present except Mr. Mason. The President brought up for consideration our relations with Mexico, and the threatened invasion of Texas with [by] that power. He submitted the following propositions which were unanimously agreed to as follows, *viz.*, If Mexico should declare War or actual hostilities should be commenced by that power, orders to be issued to Gen'l Taylor to attack and drive her back across the Del Norte [Rio Grande]. . . . Gen'l Taylor to be vested with discretionary authority to pursue the Mexican army to the West of the Del Norte, and take Matamoras or any other Spanish Post West of that River, but not to penetrate any great distance into the interior of Mexican territory. . . .

Tuesday, 16th September, 1845. — Despatches were read from Dr Parrott, the confidential agent of the U.S. in Mexico, giving an account of another threatened Revolution. . . . He gives it as his opinion that there will be no declaration of war against the U.S. and no invasion of Texas. . . . He is also of the opinion that the Government is desirous to re-establish Diplomatic relations with the U. States, and that a Minister from the U.S. would be received. . . . The President, in consultation with the Cabinet, agreed that the Hon. John Slidell of New Orleans . . . should be tendered the mission. . . . One great object of the mission, as stated by the President, would be to adjust a permanent boundary between Mexico and the U. States, and that in doing this the Minister would be instructed to purchase for a pecuniary consideration Upper California and New Mexico. He said that a better boundary would be the Del Norte [Rio Grande] from its mouth to the Passo [El Paso] in latitude about 32° North, and

New York. The diary is the most detailed record of a presidential administration in our history, exceeding in fullness even the "Memoirs" of John Quincy Adams during the years of his presidency.

thence West to the Pacific Ocean.[1] . . . He supposed it might be had for fifteen or twenty millions, but he was ready to pay forty millions for it, if it could not be had for less. In these views the Cabinet agreed with the President unanimously.

Monday, 10th November, 1845 — . . . At ten O'clock P.M., . . . I signed the Commission of the Hon. John Slidell as Envoy Extraordinary & Minister Plenipotentiary to Mexico. . . .

Tuesday, 13th January, 1846 — There was a regular meeting of the Cabinet today. . . . Despatches from Mexico which had been received last evening were read and considered. Some other public matters not important were also considered.[2] . . .

Tuesday, 7th April, 1846 — A despatch was received by last night's mail from our consul at Vera Cruz, which renders it

[1] Let the student compare the actual southwestern boundary of the United States with this proposal of Polk's. The entry quoted is significant as showing the resolve of the administration to have California and New Mexico, even at the expense of $40,000,000, over six months before the Mexican War began.

[2] This brief, colorless entry was made on the evening of the day of Polk's most fateful move in connection with the Mexican affair. In his war message to Congress, May 11, 1846, Polk says, "On the 13th of January last, instructions were issued to the General (Taylor) in command of these troops to occupy the left bank of the Del Norte" (Richardson, Messages and Papers, Vol. IV, p. 440). This occupation in arms of the region between the Nueces and the Rio Grande, which was in dispute between Texas and Mexico, was a cause of war in the eyes of Mexico. Polk maintained that the "despatches from Mexico" which rendered this move necessary were rumors of Mexican preparations for the invasion of Texas (see his war message); but the Whig opponents of armed intervention scouted the idea. Representative Alexander H. Stephens said in the House, June 16, 1846: "My first proposition is that the immediate cause of hostilities between our army and the Mexican forces was the advance movement from Corpus Christi on the Nueces River, to Matamoras on the Rio Grande or Del Norte. . . . The President had no right, no power, legally, to order the military occupation of the disputed territory on the Rio Grande without authority from Congress . . . the question of boundary (was) to be settled and adjusted (by the resolution for annexing Texas) between this Government and Mexico, by *negotiation, and not by arms*. . . . Congress can alone constitutionally draw the sword for any purpose" (Cleveland, Alexander H. Stephens, pp. 304, 316). Stephens dubbed the President, for his specious arguments, "Polk the Mendacious."

probable that Mr. Slidell, our Minister to Mexico will not be received by that Government, & will return to the U. States. The despatch was read & I stated that in the event Mr. Slidell was not accredited, and returned to the U.S., my opinion was that I should make a communication to Congress recommending that Legislative measures be adopted, to take the remedies for the injuries and wrongs we had suffered into our own hands. . . .

Tuesday, 28th April, 1846 — . . . The Mexican question was next discussed, & it was the unanimous opinion of the Cabinet that a message should be sent to Congress laying the whole subject before them and recommending that measures be adopted to take redress into our own hands for the aggravated wrongs done to our citizens in their persons and property by Mexico.[1] I requested Mr. Buchanan to prepare from the archives of the Department of State a succinct history of these wrongs as the basis of a message to Congress, at his earliest convenience. . . .

Sunday, 3rd May, 1846 — . . . Col. Benton called this evening. . . . He expressed a decided aversion to a war with Mexico if it could be avoided consistently with the honour of the country. I told him we had ample cause of War, but that I was anxious to avoid it if it could be done honourably and consistently with the interests of our injured citizens. I told him I would delay at all events until the arrival of Mr. Slidell, who was expected daily, but that I could not permit Congress to adjourn without bringing the subject before that body.

Friday, 8th May, 1846 — . . . the Hon. John Slidell, late U.S. Minister to Mexico, called in company with the Secretary of State. . . . Mr. Slidell's opinion was that but one course towards Mexico was left to the U.S. and that was to take the redress of the wrongs and injuries which we had so long borne from Mexico into our own hands, and to act with promptness and energy.

Saturday, 9th May, 1846 — The Cabinet held a regular meeting today; all the members present. I brought up the Mexican question. . . . The subject was very fully discussed. All agreed that if the Mexican forces at Matamoras committed any act of

[1] Four days before this entry the Mexicans had attacked the Americans on the northern bank of the Rio Grande. See entry under May 9.

hostility on Gen'l Taylor's forces I should immediately send a message to Congress recommending an immediate declaration of War. I stated to the Cabinet that up to this time, as they knew, we had heard of no open act of aggression by the Mexican army, but that the danger was imminent that such acts would be committed. . . . I then propounded the distinct question to the Cabinet and took their opinions individually, whether I should make a message to Congress on tuesday [!], and whether in that message I should recommend a declaration of War against Mexico. All except the Secretary of the Navy [Bancroft] gave their advice in the affirmative. Mr. Bancroft dissented, but said if any act of hostility should be committed by the Mexican forces he was then in favor of immediate war. Mr. Buchanan said he would feel better satisfied in his course if the Mexican forces had or should commit any act of hostility, but that as matters stood we had ample cause of war against Mexico, and he gave his assent to the measure. It was agreed that the Message should be prepared, and submitted to the Cabinet in their meeting on tuesday. . . . The Cabinet adjourned about 2 O'Clock P.M. . . . About 6 O'Clock P.M. Gen'l R. Jones, the Adjutant General of the army, called and handed to me despatches received from General Taylor by the Southern mail which had just arrived, giving information that a part of the Mexican army had crossed [to] the Del Norte and attacked and killed and captured two companies of dragoons of Gen'l Taylor's army, consisting of 63 officers & men. The despatch also stated that he had on that day [26th April] [1] made a requisition on the Governors of Texas

[1] This was two days after the Mexicans' attack which Polk reports in his war message to Congress as follows: "The Mexican forces at Matamoras assumed a belligerent attitude, and on the 12th of April General Ampudia, then in command, notified General Taylor to break up his camp within twenty-four hours and to retire beyond the Nueces River, and, in the event of his failure to comply with these demands, announced that arms, and arms alone, must decide the question. But no open act of hostility was committed until the 24th of April. On that day General Arista, who had succeeded to the command of the Mexican forces, communicated to General Taylor that he considered hostilities commenced, and should prosecute them." A party of dragoons of 63 men and officers were on the same day dispatched from the American camp

and Louisiana for four regiments each. . . . I immediately summoned the Cabinet to meet at 7½ O'Clock this evening. The Cabinet accordingly assembled at that hour, all the members present. . . . The Cabinet were unanimously of the opinion, and it was so agreed, that a message should be sent to Congress on Monday, laying all the information in my possession before them and recommending vigorous & prompt measure[s] to enable the Executive to prosecute the War. . . . Mr. Senator Houston, Hon. Barkley Martin, & several other members of Congress called in the course of the evening & were greatly excited, at the news brought by the Southern mail from the army. They all approved the steps which had been taken by the administration, and were all of opinion that war with Mexico should now be prosecuted with vigor. The Cabinet adjourned about 10 O'Clock, & I commenced my message; Mr. Bancroft and Mr. Buchanan, the latter of whom had prepared a history of our cause of complaint against Mexico, agreed to assist me in preparing the message. . . .

Monday, 11th May, 1846 —. . . At 12 O'Clock I sent my message to Congress.[1] It was a day of great anxiety with me. Between 5 & 6 O'Clock P.M. Mr. Slidell, U.S. Minister to Mexico, called and informed me that the Ho. Repts. [House of Representatives] had passed a Bill carrying out all the recommendations of the message by a vote of 173 ayes to 14 noes, and that the Senate had adjourned after a debate, without coming to any decision. . . .

Tuesday 12th May, 1846 —. . . At 7 O'Clock P.M. my Private Secretary returned from the Capitol and announced to me that the Bill which had passed the Ho. Repts. on yesterday, making a formal declaration of War against Mexico, had passed the Senate by a vote of 42 ayes to 2 noes, with some immaterial

up the Rio del Norte, on its left bank, to ascertain whether the Mexican troops had crossed, or were preparing to cross the river, "became entangled with a large body of these troops, and, after a short affair, in which some sixteen were killed and wounded, appear to have been surrounded and compelled to surrender." — Richardson, Messages and Papers of the Presidents, Vol. IV, p. 440.

[1] The war message is in Richardson, Messages and Papers, Vol. IV, pp. 437–443; Polk's proclamation of war, in facsimile, ibid. p. 470.

amendments in its details. He represented to me that the debate in the Senate today was most animated and thrilling, and that Mr. Calhoun who spoke in opposition to the Bill, but finally did not vote, had suffered much in the discussion.[1] . . . At 8½ O'Clock P.M. I learned that the House had concurred in the amendment of the Senate to the Bill, so that when the Bill is signed by the President War will be declared against Mexico. . . .

Wednesday, 13th May, 1846 — A very large number of visitors called on me this morning, consisting of Senators, Representatives, citizens & strangers. . . . All approved my acts. Many members of Congress, especially from the Western States, desired that volunteers under the law should be accepted from their respective States. . . . I appointed a special meeting of the Cabinet at 7½ P.M. Mr. Buchanan read the draft of a despatch which he had prepared to our Ministers at London, Paris, & other Foreign Courts, announcing the declaration of War against Mexico, with a statement of the causes and objects of the War. . . . Among other things Mr. Buchanan had stated that our object was not to dismember Mexico or to make conquests, and that the Del Norte was the boundary to which we claimed; or rather that in going to war we did not do so with a view to acquire either California or New Mexico or any other portion of the Mexican territory. I told Mr. Buchanan that I thought such a declaration to Foreign Governments unnecessary and improper; that the causes of the war as set forth in my message to Congress and the accompanying documents were altogether satisfactory. I told him that though we had not gone to war for conquest, yet it was clear that in making peace we would, if practicable, obtain California and such other portion of the Mexican territory as would be sufficient to indemnify our claimants on Mexico, and to defray the expenses of the war which that power by her long continued wrongs and injuries had forced us to wage. I told him it was well known that the Mexican Government had no other means of indemnifying us.

[1] The Debates in the Senate are reported in the *Congressional Globe*, 29th Congress, 1st session, pp. 804 ff.

CHAPTER XIII

THE COMPROMISE OF 1850

The New Territory

Auri sacra fames! Never was Vergil's phrase, "the cursed hunger for gold," better illustrated than in the rush of the "Forty-niners" to California, and never was the hunger so quickly and so amply satisfied. Six weeks' digging often yielded nuggets and gold dust to the value of ten thousand dollars. The following extracts from the diary of the Reverend Walter Colton of Philadelphia, a chaplain in the United States navy, who spent the years 1846–1849 as alcalde (judge) of the Californian town of Monterey, portray the excitement of the gold days:

79. The gold seekers, 1849 [356]

Monday, May 29 [1848]. Our town was startled out of its quiet dreams today, by the announcement that gold had been discovered on the American Fork. The men wondered and talked, and the women too; but neither believed. . . .

Monday, June 5. Another report reached us this morning from the American Fork. The rumor ran, that several workmen while excavating for a mill-race had thrown up little shining scales of a yellow ore that proved to be gold; that an old Sonorian, who had spent his life in gold mines, pronounced it the genuine thing. Still the public incredulity remained. . . .

Monday, June 12. A straggler came in today from the American Fork, bringing a piece of yellow ore weighing an ounce. The young dashed the dirt from their eyes, and the old from their spectacles. One brought a spy-glass, another an iron ladle; some wanted to melt it, others to hammer it, and a few were

satisfied with smelling it . . . while a gentleman placed the specimen on the top of his gold-headed cane and held it up, challenging the sharpest eyes to detect a difference. But doubts still hovered in the minds of the great mass. They could not conceive that such a treasure could have lain there so long undiscovered. The idea seemed to convict them of stupidity. There is nothing of which a man is more tenacious than his claims to sagacity. . . .

Tuesday, June 20. My messenger sent to the mines has returned with specimens of the gold; he dismounted in a sea of upturned faces. As he drew forth the yellow lumps from his pockets and passed them around among the eager crowd, the doubts, which had lingered till now, fled. All admitted they were gold, except one old man, who still persisted they were some Yankee invention, got up to reconcile the people to the change of flag. The excitement produced was intense; and many were soon busy in their hasty preparations for a departure to the mines. The family who had kept house for me caught the moving infection. Husband and wife were both packing up; the blacksmith dropped his hammer, the carpenter his plane, the mason his trowel, the farmer his sickle, the baker his loaf, the tapster his bottle. All were off for the mines, some on horses, some on carts, and some on crutches, and one went in a litter. An American woman, who had recently established a boarding house here, pulled up stakes and was off before her lodgers had even time to pay their bills. Debtors ran, of course. I have only a community of women left, and a gang of prisoners, with here and there a soldier, who will give his captain the slip at the first chance.[1] I don't blame the fellow a whit! seven dollars a month, while others are making two or three hundred a day! that is too much for human nature to stand.

[1] President Polk in his last annual message, December 5, 1848, said: "Nearly the whole of the male population of the country [California] have gone to the gold districts. Ships arriving at the coast are deserted by their crews and their voyages suspended for want of sailors. Our commanding officer there entertains apprehensions that soldiers cannot be kept in the public service without a large increase of pay. Desertions in his command have been frequent." — Richardson, Messages and Papers, Vol. IV, p. 636.

Tuesday, July 18. Another bag of gold from the mines, and another spasm in the community. It was brought down by a sailor from Yuba river, and contains 136 ounces. It is the most beautiful gold that has appeared in the market; it looks like the yellow scales of the dolphin, passing through his rainbow hues at death. My carpenters at work on the school-house, on seeing it, threw down their saws and planes, shouldered their picks, and are off for the Yuba. Three seamen ran from the Warren, forfeiting their four years' pay; and a whole platoon of soldiers from the fort left only their colors behind.[1]

Thursday, Aug. 16. Four citizens of Monterey are just in from the gold mines on Feather River, where they worked in company with three others. They employed about thirty wild Indians, who are attached to the rancho owned by one of the party. They worked precisely seven weeks and three days, and have divided $76,844 — nearly $11,000 to each. . . .

Tuesday, Aug. 28. The gold mines have upset all social and domestic arrangements in Monterey; the master has become his own servant, and the servant his own lord. . . . Out on this yellow dust! it is worse than the cinders which buried Pompeii, for there, high and low shared the same fate!

Monday, Oct. 2. [After a horseback journey of over 150 miles from Monterey to the gold fields] I went among the gold-diggers; found a half a dozen at the bottom of the ravine, tearing up the bogs and up to their knees in mud. Beneath these bogs lay a bed of clay, sprinkled in spots with gold. . . . Not having much relish for the bogs and mud, I procured a light

[1] "San Francisco became almost deserted by man. Stores were closed, places of business vacated, houses left tenantless. . . . In May the *Californian* and in June the *Star* ceased to be published. Typesetters, pressmen, and printer's devil had all gone. The Town Council held no sittings. The Church was closed. The Alcalde was nowhere to be found, and every ship that came was deserted by her crew almost as soon as she dropped anchor. . . . The whole country from San Francisco to Los Angeles . . . resounded with the sordid cry of Gold! Gold! Gold! while fields were left half tilled, houses half built, and every industry save the manufacture of picks and shovels was neglected." — J. B. McMaster, History of the People of the United States, Vol. VII, p. 586.

crowbar and went to splitting the slate rocks which project into the ravine. I found between the layers, which were not perfectly closed, particles of gold, resembling in shape the small and delicate scales of a fish. These were easily scraped from the slate by a hunter's knife, and readily separated in the wash-bowl from all foreign substances. . . . There are about seventy persons at work in this ravine, and all within a few yards of each other. They average about one ounce [worth about $20] per diem each. They who get less are discontented, and they who get more are not satisfied. Every day brings in some fresh report of richer discoveries in some quarter not far remote, and the diggers are consequently kept in a state of feverish excitement. . . . Such is human nature; and a miserable thing it is, too, especially when touched with the gold fever. . . .

Monday, Oct. 16. I encountered this morning in the person of a Welshman, a pretty marked specimen of the gold-digger. He stood some six feet eight in his shoes, with giant limbs and frame. A leather strap fastened his coarse trousers above his hips, and confined the flowing bunt of his flannel shirt. A broad-rimmed hat sheltered his brawny features, while his unshorn beard and hair flowed in tangled confusion to his waist. To his back was lashed a blanket and a bag of provisions; on one shoulder rested a huge crowbar, to which were hung a gold-washer and a skillet; on the other rested a rifle, a spade, a pick, from which dangled a cup and a pair of heavy shoes. He recognized me as the magistrate who had once arrested him for a breach of the peace. "Well, Señor Alcalde," said he, "I am glad to see you in these diggings. You had some trouble with me in Monterey; I was on a burster [drunk]; you did your duty, and I respect you for it; and now let me settle the difference between us with a bit of gold: it shall be the first I strike under this bog." . . . He struck a layer of clay: "Here she comes," he ejaculated, and turned out a piece of gold that would weigh an ounce or more. "There," said he, "Señor Alcalde, accept that; and when you reach home . . . have a bracelet made of it for your good lady." He continued to dig around the same place, but during the hour I remained with him, found no other piece of gold — not a particle.

The story of the discovery of the first particles of gold by James A. Marshall, a native of New Jersey, who was in the employ of a wealthy Swiss-American named Sutter, who had lumber mills near the present site of Sacramento City, is thus told by Sutter himself:

I was sitting one afternoon, just after my siesta, engaged bye-the-bye in writing a letter to a relation of mine at Lucerne, when I was interrupted by Mr. Marshall — a gentleman with whom I had frequent business relations — bursting hurriedly into the room. From the unusual agitation in his manner I imagined that something serious had occurred, and, as we involuntarily do in this part of the world, I at once glanced to see if my rifle was in its proper place. You must know that the mere appearance of Mr. Marshall at that moment in the fort was quite enough to surprise me, as he had, but two days before, left the place to make some alterations in a mill for sawing pine planks, which he had just run up for me, some miles higher up the Americanos [American Fork]. When he had recovered himself a little, he told me that however great my surprise might be at his unexpected reappearance, it would be much greater when I heard the intelligence he had come to bring me. "Intelligence," he added, "which, if properly profited by, would put both of us in possession of unheard-of wealth — millions and millions of dollars, in fact." I frankly own, when I heard this I thought something had touched Marshall's brain, when suddenly all my misgivings were put an end to by his flinging on the table a handful of scales of pure virgin gold. I was fairly thunderstruck and asked him to explain what all this meant, when he went on to say, that according to my instructions, he had thrown the mill-wheel out of gear, to let the whole body of the water in the dam find a passage through the tail-race, which was previously too narrow for the water to run off in sufficient quantity. . . . By this alteration the narrow channel was considerably enlarged, and a mass of sand and gravel carried off by the force of the torrent. Early in the morning after this took place, he — Mr. Marshall — was walking along the left bank of

the stream, when he perceived something which he at first took for a piece of opal — a clear, transparent stone, very common here — glittering on one of the spots laid bare by the sudden crumbling away of the bank. He paid no attention to this; but while he was giving directions to the workmen, having observed several similar glittering fragments, his curiosity was so far excited, that he stooped down and picked one of them up. "Do you know," said Marshall to me, "I positively debated within myself two or three times, whether I should take the trouble to bend my back to pick up one of the pieces, and had decided on not doing so, when, further on, another glittering morsel caught my eye — the largest of the pieces now before you. . . ." He then gathered some twenty or thirty similar pieces. . . . He mounted his horse and rode down to me as fast as it would carry him, with the news. . . . I eagerly inquired if he had shown the gold to the work-people at the mill, and was glad to hear that he had not spoken to a single person about it. "We agreed," said the captain smiling, "not to mention the circumstance to anyone, and arranged to set off early the next day for the mill. On our arrival, just before sun-down, we poked the sand about in various places, and before long succeeded in collecting between us more than an ounce of gold, mixed up with a good deal of sand. . . . On our return to the mill we were astonished by the work-people coming up to us in a body, and showing us small flakes of gold. . . . Marshall tried to laugh the matter off with them, and to persuade them that what they had found was only some shining mineral of trifling value; but one of the Indians, who had worked at the gold mine in the neighborhood of La Paz, in Lower California, cried out *oro! oro!* We were disappointed enough, and supposed the work-people had been watching our movements, although we had taken every precaution against being observed by them."

The Omnibus Bill

Probably no other speech ever delivered in the halls of Congress has stirred the moral feelings of our country more deeply or contributed more effectively to the passage

of a great piece of legislation [1] than the famous seventh-of-March speech of Daniel Webster on the compromise measures of 1850. The corridors, galleries, antechambers, and even the floor of the Senate were packed with a throng eager to hear the foremost American orator on the foremost issue in American politics, when Webster began: 80. Ichabod ("where is the glory?"), March 7, 1850 [360]

MR. PRESIDENT, — I wish to speak today, not as a Massachusetts man, nor as a Northern man, but as an American, and a member of the Senate of the United States. . . . The imprisoned winds are let loose. The East, the North, and the stormy South combine to throw the whole sea into commotion, to toss its billows to the skies, and disclose its profoundest depths. I do not affect to regard myself, Mr. President, as holding or as fit to hold the helm in this combat with the political elements, but I have a duty to perform, and I mean to perform it with fidelity, not without a sense of existing dangers, but not without hope. I have a part to act, not for my own security and safety, for I am looking out for no fragment upon which to float away from the wreck, if wreck there must be, but for the good of the whole and the preservation of all. . . . I speak today for the preservation of the Union. "Hear me for my cause. . . ." [2]

[1] "Henry Clay had thrown himself into the breach [with his compromise measures] but he was powerless without some efficient aid from the North. The leading Southern Whigs, such as Magnum and Badger and Dawson, rallied upon Mr. Webster, seized upon him, stuck to him, and finally brought him up to the mark. His speech on the seventh of March gave a new impulse to the compromise movement, and the whole country felt that the danger was substantially past." — *New York Herald*, April 13, 1852.

[2] Webster realized that his plea for the compromise would cause him unpopularity. In the dedication of his speech to the people of Massachusetts he wrote: *His ego gratiora dictu alia esse scio; sed me vera pro gratis loqui, etsi meum ingenium non moneret, necessitas cogit. Vellem equidem vobis placere; sed multo malo vos salvos esse, qualicumque erga me animo futuri estis* ["I am aware that sentiments different from these would please you better; but the crisis compels me to prefer truth to complaisance, and thereto wins the consent of my whole nature. I confess that I should prefer to please you; but much more do I desire to see you saved, let it cost me what it will in your good opinion"].

Now as to California and New Mexico, I hold slavery to be excluded from those territories by a law even superior to that which admits and sanctions it in Texas. I mean the law of nature, of physical geography, the law of the formation of the earth. That law settles forever, with a strength beyond all terms of human enactment, that slavery cannot exist in California or New Mexico. . . . They are composed of vast ridges of mountains, of great height, with broken ridges and deep valleys. The sides of these mountains are entirely barren; their tops capped by perennial snow. . . . There are some narrow strips of tillable land on the borders of the rivers; but the rivers themselves dry up before the midsummer is gone. All that the people can do in that region is to raise some little articles, some little wheat for their *tortillas* [flour cakes], and that by irrigation. And who expects to see a hundred black men cultivating tobacco, corn, cotton, rice, or anything else, on lands in New Mexico, made fertile only by irrigation?

I look upon it, therefore, as a fixed fact . . . that both California and New Mexico are destined to be free, so far as they are settled at all, which, I believe, in regard to New Mexico, will be but partially for a great length of time; free by the arrangement of things ordained by the Power above us. . . . And I will say further, that if a resolution or bill were now before us to provide a territorial government for New Mexico, I would not vote to put any prohibition into it whatever . . . I would not take pains uselessly to reaffirm an ordinance of nature, nor to reënact the will of God. I would put in no Wilmot Proviso for the mere purpose of a taunt or a reproach. I would put into it no evidence of the votes of a superior [stronger] power, exercised for no purpose but to wound the pride, whether a just and rational pride, or an irrational pride, of the citizens of the Southern States. . . .

Sir, wherever there is a substantive good to be done, wherever there is a foot of land to be prevented from becoming slave territory, I am ready to assert the principle of the exclusion of slavery. I am pledged to it from the year 1837; I have been pledged to it again and again[1]; and I will perform those pledges;

[1] For Webster's position in 1837 see Muzzey, An American History, p. 337. In a speech in the Senate, August 12, 1848, on the exclusion of

but I will not do a thing unnecessarily that wounds the feelings of others, or that does discredit to my own understanding. . . .

Mr. President, in the excited times in which we live, there is found to exist a state of crimination and recrimination between the North and South. There are lists of grievances produced by each; and those grievances, real or supposed, alienate the minds of one portion of the country from the other, exasperate the feelings, and subdue the sense of fraternal affection, patriotic love, and mutual regard. . . . I hear with distress and anguish the word "secession"; especially when it falls from the lips of those who are patriotic, and known to the country and known all over the world for their political services. Secession! Peaceable secession! Sir, your eyes and mine are never destined to see that miracle! The dismemberment of this vast country without convulsion! The breaking up of the fountains of the great deep without ruffling the surface! . . . Sir, he who sees these States now revolving in harmony around a common center, and expects to see them quit their places and fly off without convulsion, may look the next hour to see the heavenly bodies rush from their spheres, and jostle against each other in the realms of space, without causing the wreck of the universe. . . . No, Sir! No, Sir! I will not state what might produce the disruption of the Union; but, Sir, I see as plainly as the sun in heaven what that disruption itself must produce; I see that it must produce war, and such a war as I will not describe, *in its twofold character.* . . . No, Sir! There will be no secession! Gentlemen are not serious when they talk of secession.

slavery from the territories, Webster said: "... The prevailing motives with the North for agreeing to the recognition [by the Constitution] of slavery in the Southern States ... rested upon the supposition that no acquisition of territory would be made to form new States on the southern frontier of this country, either by cession or conquest. ... I have said that I shall consent to no extension of the area of slavery upon this continent, nor to any increase of slave representation in the other House of Congress. I have now stated my reasons for my conduct and my vote. We of the North have already gone, in this respect, far beyond all that any Southern man could have expected, or did expect, at the time of the adoption of the Constitution." — Writings and Speeches of Daniel Webster, National Edition, Vol. X, pp. 37, 43.

Never did there devolve on any generation of men higher trusts than now devolve upon us, for the preservation of this Constitution and the harmony and peace of all who are destined to live under it. Let us make our generation one of the strongest and brightest links in that golden chain which is destined, I fondly believe, to grapple the people of all the States to this Constitution for ages to come. We have a great, popular, constitutional government, guarded by law and by judicature, and defended by the affections of the whole people. No monarchical throne presses these States together, no iron chain of military power encircles them; they live and stand under a government popular in its form, representative in its character, founded upon principles of equality, and so constructed, we hope, as to last forever. In all its history it has been beneficent; it has trodden down no man's liberty; it has crushed no State. Its daily respiration is liberty and patriotism; its yet youthful veins are full of enterprise, courage, and honorable love of glory and renown. Large before, the country has now, by recent events, become vastly larger. This republic now extends, with a vast breadth, across the whole continent. The two great seas of the world wash the one and the other shore. We realize on a mighty scale the beautiful description of the ornamental border of the buckler of Achilles: —

> Now, the broad shield complete, the artist crowned
> With his last hand, and poured the ocean round;
> In living silver seemed the waves to roll,
> And beat the buckler's verge, and bound the whole.

In spite of his magnificent eloquence Webster could not commend his compromise policy to his Massachusetts constituency. A member of the legislature called him "a recreant son of Massachusetts, who misrepresented her in the senate." Theodore Parker compared him to Benedict Arnold, and declared later, in a sermon, that "not a hundred prominent men in all New England acceded to the speech." A mass meeting in Faneuil Hall, "the cradle of Liberty," passed resolutions of censure on the speech. And

John Greenleaf Whittier, the abolitionist poet, following the example of the stern Hebrew prophets, baptized Webster with the significant name Ichabod ("where is the glory?").

So fallen! so lost! the light withdrawn
Which once he wore!
The glory from his grey hairs gone
Forevermore!

Revile him not — the Tempter hath
A snare for all;
And pitying tears, not scorn and wrath
Befit his fall!

Oh! dumb be passion's stormy rage,
When he who might
Have lighted up and led his age
Falls back in night.

Scorn! Would the angels laugh, to mark
A bright soul driven,
Fiend-goaded, down the endless dark,
From hope and heaven!

Let not the land once proud of him
Insult him now,
Nor brand with deeper shame his dim,
Dishonored brow.

But let its humbled sons, instead,
From sea to lake,
A long lament, as for the dead,
In sadness make.

Of all we loved and honored, naught
Save power remains —
A fallen angel's pride of thought,
Still strong in chains.

All else is gone; from those great eyes
The soul has fled:
When faith is lost, when honor dies,
The man is dead!

Then, pay the reverence of old days
To his dead fame;
Walk backward, with averted gaze,
And hide the shame!

The Four Years' Truce

81. The secession movement of 1850 [364]

When Daniel Webster exclaimed: "No, Sir! There will be no secession! Gentlemen are not serious when they talk of secession" he was indulging in the extravagant optimism of the orator. On the very day before he delivered his speech, the legislature of the state of Mississippi sent out the following long-premeditated call for a Southern convention to be held at Nashville, Tennessee, to consider the feasibility of remaining longer in the Union.[1]

We have arrived at a period in the political existence of our country, when the fears of the patriot and philanthropist may well be excited, lest the noblest fabric of constitutional government on earth may, ere long, be laid in ruins by the element of discord, engendered by an unholy lust for power, and the fell spirit of fanaticism [abolitionists] acting upon the minds of our bretheren of the non-slave-holding States. . . . The fact can no longer be disguised, that our bretheren of the free States, so-called, disregarding the compromises of the Constitution — compromises without which it would never have received the sanction

[1] Daniel Webster knew of the projected convention, and in the same seventh-of-March speech said: "Sir, I hear that there is to be a convention held at Nashville"; and gave solemn warning to "any persons who [shall] meet at Nashville for the purpose of concerting measures for the overthrow of this Union, over the bones of Andrew Jackson!" — Writings and Speeches of Daniel Webster, Vol. X, p. 95.

of the slave-holding States, are determined to pursue towards those States a course of policy, and to adopt a system of legislation by Congress, destructive of their best rights and most cherished domestic institutions. In vain have the citizens of the Slave States appealed to their bretheren of the free States in a spirit of brotherly love and devotion to that Constitution framed by our fathers and cemented by their blood. . . . The spirit of forbearance and concession, which has been for more than thirty years manifested and acted upon by the slave-holding States, has but strengthened the determination of their Northern bretheren, to fasten upon them a system of legislation in regard to their peculiar domestic institutions . . . fatal in its effects. . . .

Slavery as it exists in the Southern States . . . is not a moral or political evil, but an element of prosperity and happiness both to the master and slave.

Abolish slavery, and you convert the fair and blooming fields of the South into barren heaths; their high-souled and chivalrous proprietors into abject dependents — and the *now* happy and contented slaves into squalid and degraded objects of misery and wretchedness!

The Southern States have remonstrated and forborne, until forbearance is no longer a virtue. The time has arrived when, if they hope to preserve their existence as equal members of the Confederacy, . . . they must prepare to act — to act with resolution, firmness, and unity of purpose, trusting to the righteousness of their cause, and the protection of the Almighty Ruler of the destinies of nations, who ever looks benignently upon the exertions of those who contend for the prerogatives of freemen; therefore, be it

Resolved by the Legislature of the State of Mississippi,

That they cordially approve of the action of the Southern State Convention held at the city of Jackson [Mississippi] on the first Monday of October, 1849, and adopt the following resolutions of said body. . . .

[Then follow thirteen resolutions protesting against any attempt to abolish slavery in the District of Columbia or to exclude it from the land ceded by Mexico in 1848; and declaring their

purpose "to stand by their Sister States of the South in whatever course of action may be determined."]

This movement for the vigorous assertion of Southern rights did not originate in Mississippi. On the meeting of Congress immediately after the election of Taylor (December, 1848), a caucus of sixty-nine Southern representatives and senators met and issued an address to their states urging the solid resistance of the South to any attempt of the administration to force the Wilmot Proviso on the new territory. John C. Calhoun, the author of the address, was the leader of this movement for a Southern party, transcending the old dividing lines of Whig and Democrat. The following extracts are from Calhoun's correspondence:

(*a*)

TO C. S. TARPLEY OF MISSISSIPPI, JULY 9, 1849

DEAR SIR:

I am greatly obliged to you for a copy of the proceeds of your meeting. I have read it with a great deal of pleasure. You ask me for my opinion as to the course which should be adopted by the State Convention in October next. I have delayed answering your letter until this time, that I might more fully notice the developments at the North before I gave it. They are more and more adverse to us every day. There has not been a single occurrence since the rising [adjournment] of Congress, which does not indicate on the part of the North a fixed determination to push the abolition question to the last extreme.

In my opinion there is but one thing that holds out the promise of saving both ourselves and the Union, and that is a Southern Convention; and that, if much longer delayed, cannot. It ought to have been held this fall, and ought not to be delayed beyond another year. All our movements ought to look to that result. For that purpose every Southern State

ought to be organized with a central committee, and one in each county. Ours [South Carolina] is already. It is indispensable to produce concert and prompt action. In the mean time, firm and resolute resolutions ought to be adopted by yours, and such meetings as may take place before the assembling of the Legislatures in the fall. They, when they meet, ought to take up the subject in the most solemn and impressive manner.

The great object of a Southern Convention should be to put forth, in a solemn manner, the subject of our grievances, in an address to the other States, and to admonish them, in a solemn manner, as to the consequences which must follow, if they should not be redressed, and to take measures preparatory to it, in case they should not be. The call should be addressed to all those who are desirous to save the Union and our institutions, and who, in the alternative, should it be forced upon us, of submission or dissolving the partnership, would prefer the latter.

No State could better take the lead in this great *con*servative movement than yours. It is destined to be the greatest of sufferers if the Abolitionists should succeed; and I am not certain but by the time your convention meets, or at furthest your Legislature, the time will have come to make the call.

With great respect, I am etc.

John C. Calhoun

(*b*)

TO JAMES H. HAMMOND,[1] FEBRUARY 14, 1849–DECEMBER 7, 1849

My dear Sir:

. . . I enclosed you a copy of our Address, which I hope you have received, and that it meets your approbation. I trust it will do something to Unite the South, and to prepare our people to meet and repel effectually and forever the aggressions of the North. . . . Now is the time to vindicate our rights. We ought rather than to yield an inch, take any alternative, even if it should be disunion, and I trust that such will be the determination of the South.

[1] Governor of South Carolina 1842–1844 and United States senator 1857–1860; an ardent advocate of negro slavery as the "mud-sill" on which the edifice of civilization rested.

My dear Sir:

I would regard the failure of the Convention, called by Mississippi, to meet, from the want of endorsement by the other Southern States to be a great if not fatal misfortune.[1] It would be difficult to make another effort to rally, and the North would consider it as conclusive evidence of our division or indifference to our fate. The moment is critical. Events may now be controlled; but it will be difficult, if not impossible to control their course hereafter. This is destined to be no ordinary session.[2] We shall need the backing of our constituents: and the most effectual we can have would be the endorsement by the other Southern States of the Mississippi Call. . . .

(*c*)

FROM JAMES H. HAMMOND, MARCH 5, 1850

My dear Sir:

I am greatly rejoiced to hear of your improved health and by the *Telegraph* that you were in the senate day before yesterday. . . . If I may judge of your views by the three or four sentences which the *Telegraph* devotes to your speech on Monday,[3] I should regard your retirement at this moment as a peculiar calamity to the South. . . . I have no sort of faith with any Constitutional Compacts with the North. She never has

[1] Nine Southern states heeded the Mississippi call, and sent one hundred and seventy-five delegates to Nashville in June, 1850, who published a strong set of resolutions and adjourned till the end of the session of Congress, meanwhile inviting all the Southern states to complete their delegations. But when the second session met (November, 1850), President Taylor was dead, the danger of the Northern Whigs forcing the Wilmot Proviso through was over, the compromise measures had passed Congress, and the Southern Whigs were already at work encouraging Union sentiment in the South on the basis of the compromise. Only seventy members attended the Nashville meeting, where they affirmed the right of a state to secede from the Union, and called for a general congress of Southern states.

[2] The 31st Congress, which met in December, 1849. See Muzzey, An American History, p. 358.

[3] Calhoun's famous fourth-of-March speech on the Compromise of 1850. See Muzzey, An American History, p. 360.

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regarded them and never will. On mere Legislative Compromises I look with horror. They are the apples of Hippomenes cast behind him in the race. Our only safety is in *equality* of POWER. We must divide the territory so as forever to retain that equality in the Senate at least, and in doing so we should count Delaware with the North. She is no Southern or Slave State. I would infinitely prefer disunion to anything the least short of this — and I would rather have it I believe *anyhow* for fear of future Clays, Bentons, Houstons and Bells. If the North will not consent to this [division of territory] I think we should not have another word to say, but kick them out of the Capitol and set it on fire. We must act *now* and *decisively*. We will be in a clear minority when California comes in, and in twenty or thirty years there will be ten more free States West of the Mississippi and ten more North of the St. Lawrence and the Lakes. England would gladly surrender Canada to us now, if she had a decent pretext that would serve her pride. Long before the North gets this vast accession of strength she will ride over us rough shod, proclaim freedom or something equivalent to it to our Slaves, and reduce us to the condition of Hayti. . . .

Do write me as fully as you can. I think the Atlantic and Gulf States are by an immense majority ready for anything, and less patient than their leaders. Six months has produced an immense change and it is going on rapidly. If the leaders will only *lead*, neither they nor we have anything to fear.

Yours Sincerely,

J. H. Hammond

The six months following Hammond's letter saw another "immense change" in the South. The tide of disunion sentiment, which was at its full in the early summer of 1850, began to recede. The death of President Taylor in July and the passage of the compromise measures in September gave the Union men of the South a basis on which to make a final appeal for harmony. Although Governor Quitman of Mississippi and Governor Seabrook of South Carolina were still in favor of a policy

of defiance and separation,[1] the other states of the South accepted the compromise. Georgia led the way with her great trio of Unionist congressmen — Toombs, Cobb, and Stephens — and the "Georgia Platform" adopted by a vote of 237 to 19, in December, 1850, was quite generally indorsed by the slaveholding states.

. . . To the end, therefore that the position of this State may be clearly apprehended by her confederates of the South and of the North, and that she may be blameless of all future consequences,

Be it resolved by the people of Georgia in Convention assembled,

First: That we hold the American Union secondary in importance only to the rights and principles which it was designed to perpetuate. . . .

Secondly: That if the thirteen original parties to the contract bordering on the Atlantic, in the narrow belt, while their separate interests were in embryo, their peculiar tendencies scarcely developed, their revolutionary trials and triumphs still green in memory, found Union impossible without compromise, the thirty-one of this day may well yield somewhat, in the conflict of opinion and policy, to preserve that Union which has extended the sway of republican government over a vast wilderness, to another ocean, and proportionally advanced civilization and national greatness.

Thirdly: That in this spirit, the State of Georgia has maturely considered the action of Congress embracing a series of measures [the compromise acts of September, 1850] . . . and while she does not wholly approve, will abide by it as a permanent adjustment of this sectional controversy. . . .

[1] South Carolina went far. Her governor (Seabrook), in his message of November 26, asserted the right of secession, and declared that the time had arrived "to resume the exercise of the powers of self-protection." The legislature recommended the convocation of a meeting of delegates of the Southern states, with full powers to act on the question of secession, provided for a state convention to assemble at the governor's call for the same purpose, and appropriated $350,000 for the defense of the state (December 20, 1850. Compare the events of December 20, 1860).

Fifthly: That it is the deliberate opinion of this Convention that upon the faithful execution of the *Fugitive Slave Law* by the proper authorities depends the preservation of our much loved Union.

82. The Ostend Manifesto, October 18, 1854

[373]

The following remarkably impudent document, advising the virtual robbery of Cuba from Spain, is a joint report sent to our State Department by three United States ministers at European courts. The ministers had been appointed by President Pierce, with an eye to facilitating the acquisition of Cuba and so extending the slave area of the South.[1] They were: for England, James Buchanan, who as Secretary of State under Polk had offered Spain $100,000,000 for the island; for Spain, Pierre Soulé, who believed in simply taking Cuba by force; and, for France, John Y. Mason, whose only very determined political conviction was hatred for the abolitionists. Our Secretary of State, Marcy, disowned the preposterous language of the Manifesto, and instructed its chief author, Soulé, that there should be no attempt to coerce Spain to part with Cuba. Soulé's resignation closed the incident.

Aix-la-Chapelle, Oct. 18, 1854

SIR:—

The undersigned, in compliance with the wish expressed by the President in several confidential despatches you have addressed to us, respectively, to that effect, have met in conference, first at Ostend in Belgium, on the 9th, 10th, and 11th instant, and then at Aix-la-Chapelle in Prussia, on the days next following, up to the date hereof.

There has been a full and unreserved interchange of views and sentiments between us, which we are most happy to inform

[1] Buchanan had written to President-elect Pierce in December, 1852: "Should you desire to acquire Cuba, the choice of suitable ministers to Spain, Naples, England, and France will be very important."—Curtis, Life of James Buchanan, Vol. II, p. 73.

you has resulted in a cordial coincidence of opinion on the grave and important subjects committed to our consideration.

We have arrived at the conclusion, and are thoroughly convinced, that an immediate and earnest effort ought to be made by the government of the United States to purchase Cuba from Spain at any price for which it can be obtained, not exceeding the sum of $——. . . .

The natural and main outlet to the products of this entire population [the Mississippi valley], the highway of their direct intercourse with the Atlantic and Pacific States, can never be secure, but must ever be endangered whilst Cuba is a dependency of a distant power in whose possession it has proved to be a source of constant annoyance and embarrassment to their interests.

Indeed, the Union can never enjoy repose, nor possess reliable security, as long as Cuba is not embraced within its boundaries. Its immediate acquisition by our government is of paramount importance, and we cannot doubt but that it is a consummation devoutly wished for by its inhabitants.

The intercourse which its proximity to our coasts begets and encourages between them and the citizens of the United States, has, in the progress of time, so united their interests and blended their fortunes that they look now upon each other as if they were one people and had but one destiny. Considerations exist which render delay in the acquisition of this island exceedingly dangerous to the United States.

The system of immigration and labor lately organized within its limits, and the tyranny and oppression which characterize its immediate rulers, threaten an insurrection at every moment which may result in direful consequences to the American people. Cuba has thus become to us an unceasing danger, and a permanent cause of anxiety and alarm.[1] . . .

[1] The fear of the emancipation of the negroes in Cuba and their rising in force against the whites to make a "black republic," as in Haiti, was ever before the minds of the slaveholder in the Southern states. Soulé in a speech in January, 1853, had quoted Lord Palmerston, the British foreign secretary, that "if the negro population of Cuba were rendered free, that fact would create a most powerful element of

Should Spain reject the present golden opportunity [of the offer for Cuba] for developing her resources, and removing her financial embarrassments, it may never return again.

Cuba in its palmiest days, never yielded her exchequer, after deducting the expenses of its government, a clear annual income of more than a million and a half of dollars. . . . Under no probable circumstances can Cuba ever yield to Spain one per-cent. on the large amount which the United States are willing to pay for its acquisition. But Spain is in imminent danger of losing Cuba, without remuneration. . . .

We know that the President is justly inflexible in his determination to execute the neutrality laws; but should the Cubans themselves rise in revolt against the oppression which they suffer, no human power could prevent citizens of the United States and liberal minded men of other countries from rushing to their assistance. Besides, the present is an age of adventure, in which daring and restless spirits abound in every portion of the world.

It is not improbable, then, that Cuba may be wrested from Spain by a successful revolution; and in that event she will lose both the island and the price which we are now willing to pay for it; a price far beyond what was ever paid by one people to another for any province. . . .

But if Spain, dead to the voice of her own interest, and actuated by stubborn pride and a false sense of honor, should refuse to sell Cuba to the United States, then the question will arise, What ought to be the course of the American government under such circumstances? Self-preservation is the first law of nature with States as well as with individuals. . . . The United States have never acquired a foot of territory except by fair purchase or, as in the case of Texas, upon the free and voluntary application of the people of that independent State, who desired to blend their destinies with our own. . . .

Our past history forbids that we should acquire the island of Cuba without the consent of Spain, unless justified by the great law of self-preservation. . . .

resistance to any scheme for annexing Cuba to the United States, where slavery exists." — *Congressional Globe*, 32d Congress, 2d session, Vol. XXVII, p. 118.

After we shall have offered Spain a price for Cuba far beyond its present value, and this shall have been refused, it will then be time to consider the question, Does Cuba, in the possession of Spain, seriously endanger our internal peace and the existence of our cherished Union?

Should this question be answered in the affirmative, then, by every law, human and divine, we shall be justified in wresting it from Spain, if we possess the power; and this upon the very same principle that would justify an individual in tearing down the burning house of his neighbor if there were no other means of preventing the flames from destroying his own home. . . .

We should be recreant to our duty, be unworthy of our gallant forefathers, and commit base treason against our posterity, should we permit Cuba to be Africanized and become a second San Domingo, with all its attendant horrors to the white race, and suffer the flames to extend to our neighboring shores, seriously to endanger or actually to consume the fair fabric of our Union. . . .

Our recommendations, now submitted, are dictated by the firm belief that the cession of Cuba to the United States, with stipulations as beneficial to Spain as those suggested, is the only effective mode of settling all past differences and of securing the two countries against future collisions.

We have already witnessed the happy result for both countries which followed a similar arrangement in regard to Florida.

Yours, very respectfully

James Buchanan
J. Y. Mason
Pierre Soulé

Hon. W^m^. Marcy, *Secretary of State*

PART VI. THE CRISIS OF DISUNION

PART VI. THE CRISIS OF DISUNION

CHAPTER XIV

APPROACHING THE CRISIS

The Repeal of the Missouri Compromise and the Formation of the Republican Party

83. The origin of "squatter sovereignty," December 24, 1847

The cession of vast regions to the United States by Mexico in 1848 gave rise to a most absorbing problem in our political history, namely, the competency of Congress or the general government to control slavery in the territories. Between the extreme free-soil doctrine of the Wilmot Proviso[1] and the extreme Southern rights doctrine of the Calhoun-Rhett-Davis school,[2] the compromise principle of "squatter sovereignty" was reached. It was [380]

[1] Moved by Wilmot of Pennsylvania, in the House, August 8, 1846, as an amendment to a bill to appropriate $2,000,000 to the President's use in purchasing a peace from Mexico: "Provided, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico . . . neither slavery nor involuntary servitude shall ever exist in any part of said territory." — *Congressional Globe*, 29th Congress, 1st session, p. 1217.

[2] Briefly this doctrine was that the territories were the property of the states and not of the general government. The states had not relinquished their co-sovereignty over the territories by allowing Congress to make "*needful* rules and regulations" for them (Constitution, Art. IV, Sect. III, par. 2); and in taking their slaves into the territories the Southerners were but "exercising a common right over a common property." Otherwise sovereignty over *all* the territories would be vested in only a *part* of the states, namely, the majority in Congress. See, for Calhoun's resolutions and Rhett's speech, *Congressional Globe*, 29th Congress, 2d session, p. 455, and Appendix, pp. 244–246.

the principle applied in 1850 to Utah and New Mexico, and extended by Douglas in 1854 to Kansas and Nebraska; it was the issue on which the Republican party was formed in 1854; it was the topic of the great Lincoln-Douglas debates of 1858, and of innumerable other controversies in the press and the pulpit, in the halls of legislation, and in the market place, "until debate was silenced by the more eloquent bombardment of Sumter." The following letter from Lewis Cass, a prominent aspirant for presidential honors in 1848, to Mr. A. O. P. Nicholson of Tennessee, is the first clear announcement of the doctrine of squatter sovereignty.[1]

The theory of our government presupposes that its various members have reserved to themselves the regulation of all subjects relating to what may be termed their internal police. They are sovereign within their boundaries, except in those cases where they have surrendered to the General Government a portion of their rights, in order to give effect to the objects of the Union. [See the Preamble to the Constitution.] . . .

Local institutions, if I may so speak, whether they have reference to slavery or to any other relations, domestic or private, are left to local authority. . . . Congress has no right to say there shall be slavery in New York, or that there shall be no slavery in Georgia; nor is there any human power, but the people of those States respectively, which can change the relation existing therein; and they can say, if they will, "We will have slavery in the former, and we will abolish it in the latter."

In various respects, the Territories differ from the States. Some of their rights are inchoate, and they do not possess the peculiar attributes of sovereignty. Their relation to the General

[1] The principle had already been recognized in the joint resolution for the admission of Texas, March 1, 1845: "And such states as may be formed out of that portion of said territory [Texas] lying south of 36° 30′ north latitude . . . shall be admitted to the Union with or without slavery, as the people of each State asking admission may desire." — United States Statutes at Large, Vol. V, p. 798.

Government is very imperfectly defined by the Constitution; and it will be found, upon examination, that in that instrument the only grant of power concerning them is conveyed in the phrase, "Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States." Certainly this phraseology is very loose, if it designed to include in the grant the whole power of legislation over persons, as well as things. . . . The lives and persons of our citizens, with the vast variety of objects connected with them, cannot be controlled by an authority which is merely called into existence for the purpose of making *rules and regulations for the disposition and management of property*. . . . If the relation of master and servant may be regulated or annihilated . . . so may the relation of husband and wife, of parent and child, and of any other condition which our institutions and the habits of our society recognize. . . .

Such, it appears to me, would be the construction put upon this provision of the Constitution, were this question now first presented for consideration. . . . Certain it is that the principle of interference should not be carried beyond the necessary implication, which produces it. It should be limited to the creation of proper governments for new countries, acquired or settled, and to the necessary provisions for their eventual admission to the Union; leaving, in the mean time, to the people inhabiting them, to regulate their internal concerns in their own way. They are just as capable of doing so as the people of the States; and they can do so, at any rate, as soon as their political independence is recognized by their admission into the Union. During this temporary condition [as territories], it is hardly expedient to call into exercise a doubtful and invidious authority [of prohibiting slavery] which questions the intelligence of a respectable portion of our citizens . . . an authority which would give Congress a despotic power, uncontrolled by the Constitution, over most important sections of our common country. . . .

When the authors of the "Georgia platform" concluded with timid confidence that "upon the faithful execution of the Fugitive Slave Law by the proper authorities" would

84. Fugitive slaves

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depend "the preservation of our much-loved Union" (see No. 81, p. 353), they put their finger on the critical point in the compromise measures.[1] The number of fugitives from Southern plantations was inconsiderable,[2] but the spread of a sentiment of sympathy for them through the North, and of a disposition to repeal or evade the law compelling their return, stirred a spirit of reproachful indignation on both sides of Mason and Dixon's line. The temper of the South is well reflected in the following report of a committee of the legislature of Virginia in 1849:

. . . Look at the actual state of things in the sixtieth year of the Constitution! It is simply and undeniably this: That the South is wholly without the benefit of that solemn constitutional guaranty which was so sacredly pledged to it at the formation of this Union. . . . No citizen of the South can pass the frontier of a non-slaveholding State and there exercise his undoubted constitutional right of seizing his fugitive slave, with a view to take him before a judicial officer and there prove his right of ownership, without imminent danger of being prosecuted criminally as a kidnapper, or being sued in a civil action for false

[1] In the very month in which the Georgia platform was adopted (December, 1850), Frederick Douglass, an escaped slave, before a large audience at Rochester, New York, said: "Most of those who are present will have observed that leading men in this country have been putting forth their skill to secure quiet to the nation. A system of measures to promote this object was adopted a few months ago in Congress. The result of those measures is known. Instead of quiet, they have produced alarm; instead of peace, they have brought us war; and so it must ever be. While this nation is guilty of the enslavement of 3,000,000 innocent men and women, it is as idle to think of having a sound and lasting peace, as it is to think there is no God to take cognizance of the affairs of men." — Frederick Douglass, Lectures on American Slavery (a pamphlet, p. 16, Buffalo, 1851).

[2] "The number of fugitives who escaped into the free States annually did not exceed one thousand. The number of arrests of fugitives, of which an account was had, from the passage of the 1850 law to the middle of 1856 was only two hundred." — J. F. Rhodes, History of the United States from the Compromise of 1850, Vol. II, p. 76.

imprisonment — imprisoned himself for want of bail, and subjected in his defence to an expense exceeding the whole value of the property claimed, or finally of being mobbed or being put to death in a street fight by insane fanatics or brutal ruffians. In short, the condition of things is, that at this day very few of the owners of fugitive slaves have the hardihood to pass the frontier of a non-slaveholding state and exercise their undoubted, adjudicated constitutional right of seizing the fugitive. In such a conjuncture as this, the committee would be false to their duty — they would be false to their country, if they did not give utterance to their deliberate conviction, that the continuance of this state of things cannot be, and ought not to be much longer endured by the South — be the consequences what they may.

In such a diseased state of opinion as prevails in the non-slaveholding states on the subject of Southern slavery, it may well be imagined what the character of their local legislation must be. Yet it is deemed by the committee their duty to present before the country the actual state of that legislation, that the people of this commonwealth and of the entire South may see how rapid and complete has been its transition from a fraternal interest in our welfare to a rank and embittered hostility to our institutions. [Then follows a review of the Personal Liberty Acts passed from 1843 to 1848 by the states of Vermont, Massachusetts, Rhode Island, and Pennsylvania.]

But this disgusting and revolting exhibition of faithless and unconstitutional legislation must now be brought to a close. It may be sufficient to remark that the same embittered feeling against the rights of the slaveholder, with more or less of intensity, now marks, almost without exception, the legislation of every non-slaveholding state of this Union. So far therefore as our rights depend upon the aid and coöperation of state officers and state legislation, we are wholly without remedy or relief.

Kidnapers of slaves drove a lucrative trade in some parts of the South. The following account of the chase and capture of a slave stealer is from the Atlanta *Daily Intelligencer* of January 22, 1851:

Overhauled: Those absconding negroes, accompanied by a white man (referred to in this paper of the 2d inst.) were overhauled by their owners, Messrs. Calhoun and Storey, after a hot and spirited chase through Alabama, Tenn., & Ky. The white fellow proved to be a young man named Howard from N. Carolina, who had been working in our town during some portion of the past year at the carpenter's trade. At Decatur, Alabama, he sold one of the boys, pocketed the money and provided himself with a pass to join him and the other boy at Tuscumbia. Learning, however, in the mean time that he was being hotly pursued,[1] Howard abandoned the boy and made tracks for his own safety in the direction of Illinois, through Tenn. & Ky. By the aid of the Telegraph, the progress of the villain was cut short off at Smithland, Ky., near the mouth of the Cumberland, within a few hundred yards of the State of Ill. He is now in jail, subject to the requisition of the Executive of this State — all done too, without the owners of the negroes ever seeing the scoundrel, or being within hundreds of miles of him. We wish the young man a speedy retreat within our penitentiary, and plenty of good hard work, and hard usage for his pains of endeavoring to defraud honest men out of their property. The owners returned to this place, with their negroes on Tuesday last.

One slave of exceptional intellectual powers, in whose veins ran white blood, escaped from his master at Baltimore, in September, 1838. This man was Frederick

[1] How hot the pursuit of an absconding negro might be is illustrated by the following advertisement from a Louisiana newspaper, November 26, 1847: "The subscriber, living on Carroway Lake, on Hoe's Bayou, in Carrol Parish, sixteen miles on the road leading from Bayou Mason to Lake Providence, is ready with a pack of dogs to hunt runaway negroes at any time. These dogs are well trained and known throughout the Parish. Letters addressed to me at Providence will secure immediate attention. My terms are five dollars per day for hunting the trails, whether the negro is caught or not. When a twelve hours' trail is shown, and the negro not taken, no charge is made. For taking a negro $25.00, and no charge made for hunting. James H. Hall." — Quoted by McMaster, History of the People of the United States, Vol. VII, p. 242, note.

Douglass (1817–1895), abolitionist, orator, newspaper editor, Republican politician, European traveler, and lifelong champion of the rights of the colored man in all parts of the world. Douglass gives the following account of his escape from slavery:

My means of escape were provided for me by the very men who were making laws to hold and bind me more securely in slavery. It was the custom in the State of Maryland to require of the free colored people to have what were called "free papers." This instrument they were required to renew very often, and by charging a fee for this writing, considerable sums from time to time were collected by the State. In these papers the name, age, color, height and form of the free man were described, together with any scars or other marks upon his person which could assist in his identification. This device of slaveholding ingenuity, like other devices of wickedness, in some measure defeated itself — since more than one man could be found to answer the same general description. Hence many slaves could escape by personating the owner of one set of papers; and this was often done as follows: A slave nearly or sufficiently answering the description set forth in the papers, would borrow or hire them until he could by their means escape to a free state, and then, by mail or otherwise, return them to the owner. The operation was a hazardous one for the lender as well as the borrower. A failure on the part of the fugitive to send back the papers would imperil his benefactor, and the discovery of the papers in the possession of the wrong man would imperil both the fugitive and his friend. It was therefore an act of supreme trust on the part of a freeman of color thus to put in jeopardy his own liberty that another might be free. . . .

I had one friend — a sailor — who owned a sailor's protection . . . describing his person and certifying to the fact that he was a free American sailor. . . . The protection did not, when in my hands, describe its bearer very accurately. Indeed, it called for a man much darker than myself, and close examination of it would have caused my arrest at the start. In order to

avoid this fatal scrutiny on the part of the railroad official, I had arranged with Isaac Rolls, a hackman, to bring my baggage to the train just on the moment of starting, and jumped upon the car myself when the train was already in motion. Had I gone into the station and offered to purchase a ticket, I should have been instantly and carefully examined, and undoubtedly arrested. . . .

In my clothing I was rigged out in sailor style. I had on a red shirt and a tarpaulin hat and black cravat, tied in sailor fashion, carelessly and loosely about my neck. My knowledge of ships and sailors' talk came much to my assistance, for I knew a ship from stem to stern and from keelson to cross-trees, and could talk sailor like an "old salt." On sped the train, and I was well on the way to Havre de Grace before the conductor came into the negro car to collect tickets and examine the papers of his black passengers. My whole future depended upon the decision of this conductor. . . . "I suppose you have your free papers?" [he observed]. To which I answered: "No, sir; I never carry my free papers to sea with me." "But you have something to show that you are a free man, have you not?" "Yes, sir," I answered; "I have a paper with the American eagle on it, that will carry me round the world." With this I drew from my deep sailor's pocket my seaman's protection, as before described. The merest glance at the paper satisfied him, and he took my fare and went on about his business. . . . Though much relieved, I realized that I was still in great danger: I was still in Maryland and subject to arrest at any moment. I saw on the train several persons who would have known me in any other clothes, and I feared they might recognize me, even in my sailor's "rig," and report me to the conductor. . . .

Though I was not a murderer fleeing from justice, I felt, perhaps, quite as miserable as such a criminal. . . . Minutes were hours, and hours were days during this part of my flight. After Maryland I was to pass through Delaware — another slave State, where slave catchers generally awaited their prey. . . . The border lines between slavery and freedom were the dangerous ones for the fugitives. The heart of no fox or deer, with hungry hounds on his trail in full chase, could have beaten more anxiously or noisily than mine did from the time I left Baltimore till I reached

Philadelphia.... A German blacksmith, whom I knew very well, was on the train with me, and looked at me very intently [on the ferry over the Susquehanna River]. I really believe he knew me, but had no heart to betray me. At any rate, he saw me escaping and held his peace.

The last point of imminent danger, and the one I dreaded most, was Wilmington. Here we left the train, and took the steamboat for Philadelphia. In making the change I again apprehended arrest, but no one disturbed me, and I was soon on the broad and beautiful Delaware, speeding away to the Quaker City. On reaching Philadelphia in the afternoon I inquired of a colored man how I could get on to New York. He directed me to the Willow St. depot, and thither I went, taking the train that night. I reached New York Tuesday morning, having completed the journey in less than twenty-four hours. Such is briefly the manner of my escape from slavery — and the end of my experience as a slave. Other chapters will tell the story of my life as a freeman.

"Bleeding Kansas"

85. The "Bogus Legislature" of Kansas, 1855

On the afternoon of December 4, 1855, the newsboys on Broadway were hawking an "extra" of the *New York Herald*, on the "Great War in Kansas."

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CALL FROM THE GOVERNOR FOR UNITED STATES TROOPS

By Telegraph

Accounts from Kansas state that Governor Shannon has telegraphed to the President concerning the present condition of affairs in that Territory. He says that one thousand men have arrived in Lawrence, and rescued a prisoner from the sheriff of Douglas County, and burned some houses and other property. He asks the President to order out the troops at Fort Leavenworth to aid in the execution of the laws.

Douglas Brewerton, an old companion of Kit Carson on his Rocky Mountain travels, bought a copy of the "extra,"

read the dispatch, and hastened to the *Herald* office to offer his services as special correspondent from Kansas. Arrived on the scene, Brewerton secured the following account of the origin of the disorder from James Christian, a moderate proslavery man from Kentucky, who was filling a county clerkship in the territory.

The true cause of these Kansas troubles was not an arrest by the Sheriff under the Territorial law; it had its origin far back in the halls of Congress, when the Nebraska and Kansas bills were passed, when the Missouri Compromise was declared null and void, and ultra men boasted in our Legislative Assemblies, that if they could not defeat these bills in one way they would in another, and returned to their homes to organize "Emigrant Aid Societies" and "Kansas Leagues," with the avowed intention of defeating the *Kansas* Bill, by Abolitionizing the Territory. This was the *first wrong*, and it aroused the indignation of the "Fire Eaters" of Western Missouri. . . .

When the first election in Kansas [for delegate] came on [November, 1854], these gentlemen called out the pro-slavery forces and marched their men into our Territory to cast their votes for Whitfield. This was done to counteract the influence of the Boston Aid Societies and Kansas Leagues, already alluded to. This might have been all well or ill enough, if the evil had stopped here, as the Free Soilers, when they came in, ruled it with a high hand; in many instances treating the Pro-Slavery and Western settlers with the grossest injustice, by driving them from their improvements, or cutting their timber before their eyes, at the same time bidding them defiance, as they [the Yankees] "had the power and meant to take the country." This it was that prompted the Pro-Slavery and Western men to seek protection from their friends in Missouri, who, to do them justice, were as zealous in giving assistance as they were prompt to ask it. Things were in this condition when the spring elections came on for members of the Council and House of Representatives. This took place on the 30th of March, 1855, and the people of Missouri, delighted with their success at the fall election, came in with

renewed vigor to the Kansas ballot-boxes, bringing with them an ample supply of their favorite institutions — *bowie-knives*, *pistols*, and *whisky* — to the great terror of the Yankees. . . .

Upon the morning of the 30th of March, a clear sunshiny day, the voters of Lawrence District began assembling about the door of the polls, which was held in a small log shanty, situated upon the outskirts of the city of Lawrence. In the meantime, the invading army of Missouri voters, who had arrived the day before, to the number of some eight or nine hundred men, were encamped in the vicinity of the polls. At 9 A.M., the hour appointed for the opening of the polls, the Missourians, well armed, walked down to the one-horse shanty, before alluded to. Their leader Young then took the oath required by the judges of election. To *avoid the rush*, and prevent *unnecessary* crowding, the Missourians then formed a line some hundred yards in length on either side of the shanty window, in which the voters were to deposit their ballots. Through this alley-way the voters passed in; but as the living stream was for some time continuous, and a retreat through the lane impossible, it became necessary to adopt some plan by which to get rid of the voter after he had been polled. This was no easy matter; but, as a happy expedient, it was at length determined to hoist each polled man upon the roof of the shanty, where he seized hold of the shingles and thus assisted himself over until he had gained the other side, from whence a second jump brought him in safety to the ground, leaving him at liberty to supply the place of some friend who had not *yet voted*. Thus the vote polled in the Lawrence District was upward of one thousand, of which two hundred and twenty-five were Free Soil and the balance Pro-Slavery. . . .

This Legislature — styled Bogus, by the Free-Soil party — met, in accordance with the Governor's proclamation, at *Pawnee*, a *paper city* on the extreme verge of civilization, with no house to shelter them from the inclemency of the weather. I was present, and shall never forget the first meeting of the Kansas Legislature; it was a most novel sight to see grave councilmen and brilliant orators of the House of Representatives cooking their food by the side of a log, or sleeping on a buffalo-robe in the open air, with the broad canopy of heaven for a covering.

During the meeting of the Legislature at Pawnee, we had several severe showers, and it was amusing enough to behold these Romuluses of Kansas, as they scampered, with their beds upon their backs — like an Irish pedlar — to some new houses which boasted neither window nor door, and kept out but illy the pelting storm. There were but two things in abundance at Pawnee — rocky mounds and highly rectified whisky.

Being fairly drowned out, the Legislature finally adjourned to Shawnee Mission, whereupon the Governor vetoed the Bill: this was the *final* rupture between the Governor and the Legislature; then came the tug of war. Both parties from this moment broke out into open hostility. The Governor and his Free-Soil friends repudiated the Legislature and its acts, and bid defiance to both; they spoke of it as the Missouri Bogus Legislation. The Legislature, on their part, were not slow to retaliate; they racked their ingenuity to insult and aggravate the Free-Soil party, and if possible widen the breach between the two contending *factions*, for I can scarcely dignify with the name of party those who condescend to such a petty warfare as exists between the Kansas agitators. The Legislature, in the first place, memorialized President Pierce to remove Governor Reeder, which was done. . . . They then attempted to padlock the mouths of the Free-Soilers by preventing their expressing an opinion as to the right of individuals to hold slaves in Kansas Territory. Their next move was to appoint officers to put this padlock on, or in other words, to execute *their* laws, and as most of the members lived in Missouri, it was no very singular thing that they had friends to reward in that State, who were patriotic enough to "move into Kansas" if they could get an office there; this several of them did, and accordingly came into the Territory with their commissions in their pockets. In due time the Legislature closed this, their labor of love, and returned to the bosom of their families, with their well earned pay in their pockets, with which to improve their farms in Jackson and other counties of Missouri. . . .

Colonel John Scott, city attorney of St. Joseph, Missouri, was one of the "invaders" of Kansas. He voted at the

elections of 1854 and 1855. In his testimony before the House committee of three, which was sent to Kansas in 1856, he said:

I was present at the election of March 30, 1855 in Burr Oak precinct in the 14th district, in this Territory. I saw many Missourians there. There had been a good deal of talk about the settlement of Kansas, in the interference of eastern people in the settlement of that territory, since the passage of the Kansas-Nebraska bill. It was but a short time after the passage of that act that we learned through the papers about the forming of a society in the east for the purpose of promoting the settlement of Kansas Territory, with the view of making it a free State. . . .

[The Missourians] were excited upon that subject, and have been ever since. This rumor and excitement extended all over the State, and more particularly in the borders. . . . The people of the south have always thought they have always been interfered with by the north, and the people of Missouri considered this the most open and bold movement the northern and eastern societies ever made. . . .

Immediately preceding the election [1855], and even before the opening of navigation, we had rumors that hundreds of eastern people were in St. Louis, waiting for the navigation of the river to be opened, that they might get up to the Territory in time for the election, and the truth of these rumors was established by the accounts steamboat officers afterwards brought up of the emigrants they had landed at different places in and near the Territory, who had no families, and very little property, except little oil cloth carpet sacks. . . .

It was determined by the Missourians that if the eastern emigrants were allowed to vote, we would vote also, or we would destroy the poll books and break up the elections; and the determination is that eastern people shall not be allowed to interfere and control the domestic institutions of Kansas, if the Union is dissolved in preventing it, though we are willing that all honest, well-meaning settlers shall come and be admitted to all the equality of other citizens. . . . The avowed object of making a free State by persons living remote from the Territory,

and having no interest in it, and the raising of money and means for that purpose, is the obnoxious feature of these emigrant aid societies. . . . I think it is a new thing for free States to get up societies for making free States out of Territories. . . .

I think it is the general expression, and I know it is the ardent hope of every man in Missouri that I have heard express himself, that if the north would cease operating by these societies, Missouri would also cease to use those she has established. All that Missourians asked was that the principles of the Kansas-Nebraska Act should be carried out, and the actual settlers of the Territory allowed to manage their own domestic institutions for themselves.

The press, of course, North and South, abounded in violent and defiant comment on the Kansas situation. A typical editorial from the *New York Tribune* of May 14, 1855, says:

It is abundantly demonstrated, from what we have published on the Kansas election, that a more stupendous fraud was never perpetrated since the invention of the ballot-box. The crew who will assemble under the title of the Kansas Territorial Legislature, by virtue of this outrage, will be a body of men to whose acts no more respect will be due, and should no more be entitled to the weight of authority, than a Legislature chosen by a tribe of wandering Arabs, who should pitch their tents and extemporize an election on the prairies of that Territory. . . .

We are not prepared either to say to what these proceedings are likely to lead. They seem, however, pregnant with the seeds of great good or evil. They sound in our ears like the distant roar of the coming tempest. Events of startling character and magnitude may stand in fearful proximity behind that dim and shadowy veil which divides the present from the future. There is Kansas. Her territory is free soil. It was never stained by the tread of a slave. Her plains never echoed to the lash of the slave-driver's whip, nor the groans of the enchained bondmen. The millions of the free States have thundered out the declaration that they never shall. On one side, the slave power

has risen in its might and declared its purpose to subjugate that Territory, and plant slavery there in defiance of the North. . . . It has armed its myrmidons, marshalled and sent them forth to execute its purposes. . . . The appeal is now made to arms. By the sword, they declare, shall Kansas be gained to slavery. . . . The first step taken has been to put beneath their heel the real residents and occupants of the soil. The next is to depose the Governor, and pronounce another in his place. A third is to declare war against all who dare oppose their plans. . . .

On the other [side] stands a little band of the sons of freedom, just now borne down by numbers, but resolute in purpose, and ready to do their part in repelling the barbarian invaders. The question is whether they are to be seconded by the people of the North. Is there a genuine spirit of freedom in the country, ready to do something against the atrocious strides of the slave power to continental dominion? Are there those who are willing to migrate to Kansas to aid in maintaining the freedom of Kansas at the cost of such perils as may arise? Do the northern people mean that Kansas shall be free? If they do, that is enough. The force that shall drive out hordes of land pirates who have made their descent upon Kansas will not be long in forming. Swayed and inspired by the sentiments of freedom, they will scatter its enemies like chaff. . . . If it be otherwise, their degradation is unspeakable, and they are fit only to live as the slaves of slaves.

"A House Divided against Itself"

The famous case of *Dred Scott, Plaintiff in Error* vs. *John F. A. Sandford* fills two hundred and forty pages in the Reports of cases argued before the Supreme Court of the United States. The possibility of reconciling the Court's elaborate decision with the doctrine of squatter sovereignty was the general subject of the great series of debates between Lincoln and Douglas for the Illinois senatorship in the summer of 1858. A year later Lincoln referring to

86. The gist of the Dred Scott decision, March 6, 1857

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those debates in a speech at Columbus, Ohio, said: "What is that Dred Scott decision? Judge Douglas labors to show that it is one thing, while I think it is altogether different. It is a long opinion, but it is all embodied in this short statement: *The Constitution of the United States forbids Congress to deprive a man of his property, without due process of law; the right of property in slaves is distinctly and expressly affirmed in that Constitution; therefore if Congress shall undertake to say that a man's slave is no longer his slave, when he crosses a certain line into a Territory, that is depriving him of his property without due process of law, and is unconstitutional.* There is the whole Dred Scott decision."[1] The text of the opinion of the Court on this question, as delivered by Chief Justice Taney, reads as follows:

. . . The words "people of the United States" [Preamble to the Constitution] and "citizens" are synonymous terms, and mean the same thing. They both describe the political body who, according to our Republican institutions, form the sovereignty, and who hold the power and conduct the Government through their representatives. . . . The question before us is, whether the class of persons described in the plea [negroes] compose a portion of this people, and are constituent members of this sovereignty? We think that they are not, and that they are not included, and were not intended to be included, under the word "citizens" in the Constitution, and can therefore claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States. On the contrary, they were at that time considered as a subordinate and inferior class of beings, who had been subjugated by the dominant race, and, whether emancipated or not, yet remained subject to their authority, and had no rights or privileges but such

[1] Political Debates between Lincoln and Douglas, Columbus, 1860, p. 251.

as those who held the power and the Government might choose to grant them. . . .

It is difficult at this day to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted. But the public history of every European nation displays it in a manner too plain to be mistaken.

They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it. . . .

The opinion thus entertained and acted upon in England was naturally impressed upon the Colonies they founded on this side of the Atlantic. And, according, a negro of the African race was regarded by them as an article of property, and held and bought and sold as such in every one of the thirteen Colonies which united in the Declaration of Independence and afterwards formed the Constitution of the United States. . . .

The Territory being a part of the United States, the Government and the citizen both enter it under the authority of the Constitution, with their respective rights defined and marked out; and the Federal Government can exercise no power over his person or property beyond what that instrument confers, nor lawfully deny any right which it has reserved. . . . And if the Constitution recognizes the right of property of the master in a slave, and makes no distinction between that description of property and other property owned by a citizen, no tribunal, acting under the authority of the United States, whether it be legislative, executive, or judicial, has a right to draw such a distinction. . . .

Now, as we have already said in an earlier part of this opinion, . . . the right of property in a slave is distinctly and expressly affirmed in the Constitution. The right to traffic in it,

like an ordinary article of merchandise and property, was guaranteed to the citizens of the United States, in every State that might desire it, for twenty years.[1] And the Government in express terms is pledged to protect it in all future time, if the slave escapes from his owner.[2] This is done in plain words, too plain to be misunderstood. And no word can be found in the Constitution which gives Congress a greater power over slave property . . . than property of any other description.

Upon these considerations, it is the opinion of the Court that the act of Congress[3] which prohibited a citizen from holding and owning property of this kind in the Territory of the United States north of the line therein mentioned [36° 30′], is not warranted by the Constitution, and is therefore void;[4] and that neither Dred Scott himself, nor any of his family, were made free by being carried into this territory. Even if they had been carried there by the owner, with the intention of becoming a permanent resident. . . .

But there is another point in the case which depends on State power and State law. And it contended, on the part of the plaintiff, that he is made free by being taken to Rock Island in the State of Illinois independently of his residence in the territory of the United States; and being so made free, he was not again reduced to a state of slavery by being brought back to Missouri.

Our notice on this part of the case will be very brief: for the principle on which it depends was decided in this court, upon much consideration, in the case of Strader et al. *v.* Graham, reported in 10th Howard, 82. In that case, the slaves had been taken from Kentucky to Ohio, with the consent of the owner, and afterwards brought back to Kentucky. And this court held

[1] Constitution, Art. I, Sect. IX, par. 1.

[2] Constitution, Art. IV, Sect. II, par. 3.

[3] The Missouri Compromise Act of 1820.

[4] This is the first instance in our history of an act of Congress, not bearing on the judiciary itself, being declared null and void by the Supreme Court. The Constitution nowhere gives the Supreme Court this power. In this part of its decision the Court sanctioned the *legislative* repeal of the Missouri Compromise Act by the terms of the Kansas-Nebraska Act of 1854. It denied Congress the power of legislating on slavery in any *territory* of the United States.

that their *status* or condition, as free or slave, depended upon the laws of Kentucky when they were brought back into that State, and not of Ohio; and that this court had no jurisdiction to revise the judgment of a State court upon its own laws. . . . So in this case. As Scott was a slave when taken into the State of Illinois by his owner, and was held there as such and brought back in that character, his *status*, as free or slave, depended on the laws of Missouri, and not of Illinois.[1] . . .

Upon the whole, therefore, it is the judgment of this Court, that it appears by the record before us that the plaintiff in error is not a citizen of Missouri, in the sense in which that word is used in the Constitution; and that the Circuit Court of the United States, for that reason had no jurisdiction in the case, and could give no judgment upon it. Its judgment for the defendant must, consequently, be reversed, and a mandate issued, directing the suit to be dismissed [that is, left to the Missouri state court] for want of jurisdiction.

[1] This part of the decision completed the guaranty of the slaveholder by allowing him to travel where he would with his slave property without thereby impairing his property rights in it. The advance in Southern claims may be seen by comparing this decision with the words of Alexander H. Stephens nine years earlier (August 7, 1848): "If my slave escapes and gets into a free State, the Constitution secures me the right of pursuing and retaking him [Art. IV, Sect. II, par. 2]; but if I voluntarily take my Slave into a State where slavery by law is prohibited, *I have no right to retake him; he becomes free. No man will question this.*" — *Congressional Globe*, 30th Congress, 1st session, Appendix, p. 1105.

CHAPTER XV

SECESSION

The Election of Abraham Lincoln

87. The Republican standard, 1860–1861

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On February 27, 1860, Abraham Lincoln, a distinguished lawyer of Illinois, already widely known for his brilliant debates with Judge Douglas, and enthusiastically boomed for the presidential nomination by the Republicans of the West, made his first speech before an Eastern audience in the great hall of the Cooper Institute in New York City. It was the clearest and most forceful exposition of Republican principles made since the foundation of the party, and answered the extreme proslavery resolutions introduced in the Senate by Jefferson Davis, on February 2.[1] After showing that the "Fathers" had no idea that the Constitution limited the Federal government in the control of slavery in the Federal territory, and warning the South against precipitate action, Lincoln concludes:

A few words now to Republicans. It is exceedingly desirable that all parts of this great Confederacy shall be at peace and harmony one with another. Let us Republicans do our part to have it so. Even though much provoked, let us do nothing through passion and ill temper. Even though the Southern people will not so much as listen to us, let us calmly consider

[1] See Muzzey, An American History, pp. 408–409. Horace Greeley said of this speech in 1868: "I do not hesitate to pronounce it the very best political address to which I ever listened — and I have heard some of Webster's grandest." — *Century Magazine*, July, 1891, p. 373.

their demands, and yield to them, if, in our deliberate view of our duty, we possibly can. . . . Let us determine, if we can, what will satisfy them.

Will they be satisfied if the Territories be unconditionally surrendered to them? We know they will not. In all their present complaints against us the Territories are scarcely mentioned. Invasions and insurrections are all the rage now.[1] Will it satisfy them if, in the future, we have nothing to do with invasions and insurrections? We know it will not. We so know, because we know we never had anything to do with invasions and insurrections, and yet this total abstaining does not exempt us from the charge and the denunciation.

The question recurs, What will satisfy them? Simply this: we must not only let them alone, but we must, somehow, convince them that we do let them alone. This, we know by experience, is no easy task. We have been so trying to convince them from the very beginning of our organization, but with no success. . . . Alike unavailing to convince them is the fact that they have never detected a man of us in any attempt to disturb them.

These natural and apparently adequate means all failing, what will convince them? This, and this only: cease to call slavery wrong, and join them in calling it right. And this must be done thoroughly, done in acts as well as in words. Silence will not be tolerated; we must place ourselves avowedly with them. Senator Douglas' new sedition law must be enacted and enforced, suppressing all declarations that slavery is wrong, whether made in politics, in presses, in pulpits, or in private. We must arrest and return their fugitive slaves with greedy pleasure. We must pull down our free-State constitutions. The whole atmosphere must be disinfected from all taint of opposition to slavery before they will cease to believe that all their troubles proceed from us.

I am quite aware they do not state their case precisely in this way. Most of them would probably say to us, "Let us alone, do nothing to us, and say what you please about slavery." But we do let them alone — have never disturbed them; so that, after all, it is what we say that dissatisfies them. . . .

[1] Referring to John Brown's "raid" of the previous autumn. See Muzzey, An American History, pp. 407–408.

I am also aware that they have not yet, in terms, demanded the overthrow of our free-State constitutions. . . . [But] demanding what they do, and for the reason they do, they can voluntarily stop nowhere short of this consummation.[1] Holding as they do that slavery is morally right, and socially elevating, they cannot cease to demand a full national recognition of it, as a legal right and a social blessing.

Nor can we justifiably withhold this on any ground, save our conviction that slavery is wrong. If slavery is right, all words, acts, laws, and constitutions against it are themselves wrong, and should be silenced and swept away. If it is right, we cannot justly object to its nationality — its universality! if it is wrong, they cannot justly insist on its extension — its enlargement. All they ask we could readily grant, if we thought slavery right; all we ask they could as readily grant, if they thought it wrong. Their thinking it right, and our thinking it wrong, is the precise fact upon which depends the whole controversy. . . . Can we cast our votes with their view and against our own? In view of our moral, social, and political responsibilities, can we do this?

Wrong as we think slavery is, we can yet afford to let slavery alone where it is, because that much is due to the necessity arising from its actual presence in the nation; but can we, while our votes will prevent it, allow it to spread into the national Territories, and to overrun us here in the free States? If our sense of duty forbids this, then let us stand by our duty, fearlessly and effectively. Let us be diverted by none of those sophistical contrivances wherewith we are so industriously plied and belabored, contrivances such as groping for some middle ground between the right and the wrong, vain as the search for a man who should

[1] In a speech at Springfield, Illinois, June 16, 1858, accepting the nomination for the United States senatorship, Lincoln had expressed the idea thus: "'A house divided against itself cannot stand.' I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved — I do not expect the house to fall — but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it . . . or its advocates will push it forward till it shall become alike lawful in all the States, old as well as new — North as well as South." — Nicolay and Hay, Abraham Lincoln, Vol. II, p. 137.

be neither a living man nor a dead man, such a policy of "don't care," on a question about which all true men do care, such as Union appeals beseeching true Union men to yield to Disunion; reversing the divine rule, and calling not the sinners but the righteous to repentance; such as invocations to Washington, imploring men to unsay what Washington said and to undo what Washington did.

Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it.

Between the Cooper Institute speech and the first inaugural address (from which the following extract is taken) events had moved rapidly. Lincoln had been nominated and elected, South Carolina and six of her sister states of the South had seceded from the Union, a Confederate government had been organized, and the batteries in Charleston harbor had fired on the *Star of the West* bearing supplies to Fort Sumter under the American flag. Lincoln's magnificent plea for calm deliberation and patient hope of harmony came too late.

Fellow-Citizens of the United States:

. . . Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of these speeches when I declare that "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." . . . I now reiterate these sentiments.

. . . I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will cheerfully be given to all the States, when lawfully demanded, for whatever cause — as cheerfully to one section as to another. . . .

I hold that in contemplation of universal law and of the Constitution, the Union of these States is perpetual. . . . The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And finally, in 1787, one of the declared objects for ordaining and establishing the Constitution was "*to form a more perfect Union.*"

But if destruction of the Union by one or by a part only of the States be lawfully possible, then the Union is *less* perfect than before the Constitution, having lost the vital element of perpetuity. . . .

It follows from these views that no State upon its own mere motion can lawfully get out of the Union; that *resolves* and *ordinances* to that effect are legally void, and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary according to circumstances.

I therefore consider that in view of the Constitution and the laws, the Union is unbroken, and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins on me, that the laws of the Union be faithfully executed in all the States. . . .

In doing this there needs to be no bloodshed or violence, and there shall be none unless it be forced upon the national authority. . . .

That there are persons in one section or another who seek to destroy the Union at all events and are glad of any pretext to do it, I will neither affirm nor deny[1]; but if there be such, I

[1] Lincoln might have affirmed it with perfect truth. Only two days before he made this inaugural address Senator Wigfall of Texas made the following remarks in the United States Senate: "This Federal Government is dead. . . . Believing — no, sir, not believing, but knowing —

need address no word to them. To those, however, who really love the Union may I not speak? . . .

Physically speaking, we cannot separate. We cannot remove our respective sections from each other nor build an impassable wall between them. A husband and wife may be divorced and go out of the presence and beyond the reach of each other, but the different parts of our country cannot do this. They cannot but remain face to face, and intercourse, either amicable or hostile, must continue between them. Is it possible then to make that intercourse more advantageous or more satisfactory *after* separation than *before*? Can aliens make treaties easier than friends can make laws? . . .

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government, they can exercise their *constitutional* right of amending it, or their *revolutionary* right to dismember and overthrow it. . . . The Chief Magistrate derives all his authority from the people, and they have conferred none upon him to fix terms for the separation of the States. . . . His duty is to administer the present Government as it came to his hands and to transmit it unimpaired by him to his successor. . . .

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? . . .

By the frame of the Government under which we live this same people have wisely given their public servants but little power for mischief, and have with equal wisdom provided for

that this Union is dissolved, never, never to be reconstructed on any terms — not if you were to hand us blank paper, and ask us to write a Constitution, would we ever again be confederated with you. . . . Our objection to living in this Union is . . . that you wholly and utterly misapprehend the form of government. You deny the sovereignty of the States; you deny the right of self-government in the people; you insist upon negro equality; your people interfere impertinently with our institutions and attempt to subvert them; you publish newspapers; you deliver lectures; you print pamphlets, and you send them among us, first to excite our slaves to insurrection against their masters, and next to array one class of citizens against the other." — *Congressional Globe*, 36th Congress, 2d session, pp. 1399–1400.

the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilence no Administration by any extreme of wickedness or folly can very seriously injure the Government in the short space of four years.

My countrymen, one and all, think calmly and *well* upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to *hurry* any of you in hot haste to a step which you would never take *deliberately*, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new Administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, still there is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty.

In *your* hands, my dissatisfied fellow-countrymen, and not in *mine*, is the momentous issue of civil war. The Government will not assail *you*. You can have no conflict without being yourselves the aggressors. *You* have no oath registered in heaven to destroy the Government, while *I* shall have the most solemn one to "preserve, protect, and defend" it.

I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field and every patriot grave, to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

88. The Chicago convention, May 16–18, 1860

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Murat Halstead, a distinguished journalist, made the "circuit of the conventions" in the summer of 1860, as correspondent for the *Cincinnati Commercial*. Later in the year he compiled, from his own lively letters and the

official reports, a "History of the National Political Conventions of the Current Presidential Campaign." Of the exciting scenes which attended the nomination of Abraham Lincoln he writes:

The crowd this evening is becoming prodigious. The Tremont House is so crammed that it is with much difficulty people get about in it from one room to another. Near fifteen hundred people will sleep in it tonight. The principal lions in this house are Horace Greeley and Frank P. Blair, Sen. The way Greeley is stared at as he shuffles about, looking as innocent as ever, is itself a sight. Whenever he appears there is a crowd gaping at him, and if he stops to talk a minute with some one who wishes to consult him as the oracle, the crowd becomes dense as possible, and there is the most eager desire to hear the words of wisdom that are supposed to fall on such occasions. . . .

The city of Chicago is attending to this Convention in magnificent style. It is a great place for large hotels, and all have their capacity for accommodation tested. The great feature is the *Wigwam*, erected within the past month, expressly for the use of the Convention, by the Republicans of Chicago, at a cost of seven thousand dollars. It is a small edition of the New York Crystal Palace, built of boards, and will hold ten thousand persons comfortably, and is admirable for its acoustic excellence. An ordinary voice can be heard through the whole structure with ease. . . .

The current of Universal twaddle this morning is that "Old Abe" will be the nominee. . . . The badges of different candidates are making their appearance, and a good many of the dunces of the occasion go about duly labelled. I saw an old man this morning with a woodcut of Edward Bates pasted outside his hat. The Seward men have a badge of silk with his likeness and name, and some wag pinned one of them to Horace Greeley's back yesterday.[1] . . . The hour for the meeting of the

[1] Greeley, the very influential editor of the *New York Tribune*, was bitterly opposed to Seward. He favored the nomination of Edward Bates of Missouri. Still, the Seward forces were so well organized and especially so well supplied with funds, that it seemed the night before the

Convention approaches, and the agitation of the city is exceedingly great. Vast as the *Wigwam* is, not one fifth of those who would be glad to get inside can be accommodated. . . .

Horace Greeley and Eli Thayer have agreed upon the following resolution, which Greeley is at work to make one of the planks of the platform: "*Resolved*, That holding liberty to be the natural birthright of every human being, we maintain that slavery can only exist where it has been previously established by laws constitutionally enacted; and we are inflexibly opposed to its establishment in the Territories by legislative, executive or judicial intervention. . . ."

When the Convention was called to order [the third day], breathless attention was given the proceedings. There was not a space a foot square in the *Wigwam* unoccupied. There were tens of thousands still outside. . . . Mr. Evarts of New York nominated Mr. Seward, Mr. Judd of Illinois nominated Mr. Lincoln . . . the only names that produced "tremendous applause" were those of Seward and Lincoln. Everybody felt that the fight was between them, and yelled accordingly. . . .

The division of the first vote[1] caused a fall in Seward stock. It was seen that Lincoln, Cameron, and Bates had the strength to defeat Seward, and it was known that the greater part of the Chase vote would go to Lincoln. . . .

The Convention proceeded to a second ballot. . . . On this ballot Lincoln gained seventy-nine votes! Seward had 184½ votes; Lincoln 181. . . . It now dawned upon the multitude, that the presumption entertained the night before, that the Seward men would have everything their own way, was a mistake. . . .

While this [third] ballot was taken amid excitement that tested the nerves, . . . it was whispered about — "Lincoln's the coming

balloting as though the New Yorker would be chosen. Greeley telegraphed to the *Tribune* at 11.40 P.M.: "My conclusion from all I can gather tonight is that the opposition to Gov. Seward cannot concentrate on any candidate, and that he will be nominated. — H. G." — J. F. Rhodes, History of the United States from the Compromise of 1850, Vol. II, p. 465.

[1] The vote was: Seward 173½, Lincoln 102, Cameron 50½, Chase 49, Bates 48, with scattering votes for seven other candidates.

man; he will be nominated this ballot." When the roll of States and Territories had been called, I had ceased to give attention to any votes but those for Lincoln, and had his vote added up as it was given. The number of votes necessary to a choice were 233, and I saw under my pencil as the Lincoln column was completed, the figures $231\frac{1}{2}$ — only a vote and a half to give him the nomination. . . . In about ten ticks of a watch, Cartter of Ohio was up. . . . He said: "I rise, Mr. Chairman, to announce the change of four votes of Ohio from Mr. Chase to Mr. Lincoln. The deed was done. The nerves of the thousands, which through hours of suspense had been subjected to terrible tension, relaxed, and as the deep breaths of relief were taken, there was a noise in the *Wigwam* like the rush of a great wind, in the van of a storm — and in another breath, the storm was there. There were thousands cheering with the energy of insanity. . . .

The fact of the Convention was the defeat of Seward rather than the nomination of Lincoln. It was the triumph of a presumption of availability over preëminence in intellect and unrivalled fame — a success of the ruder qualities of manhood and the more homely attributes of popularity over the arts of a consummate politician, and the splendor of accomplished statesmanship.[1]

Now that the business of the Convention was transacted, we had the usual stump speeches, and complimentary resolutions. . . . The city was wild with delight. The "Old Abe" men formed processions, and bore rails through the streets. . . . A hundred guns were fired from the top of the Tremont House. The *Chicago Press and Tribune* office was illuminated. That paper says: "On each side of the counting-room door stood a

[1] One enthusiastic Lincoln man went shouting through the Tremont House: "Talk of your money, and bring on your bullies with you [Seward's marchers]! the immortal principles of the everlasting people are with Abe Lincoln, by —!" The Southern politicians were disgusted and exasperated by Lincoln's nomination. Senator Wigfall sneered in the Senate at the "ex-rail-splitter, ex-grocery-keeper, ex-flatboat captain, and ex-Abolitionist-lecturer."— *Congressional Globe*, 36th Congress, 2d session, p. 1400.

rail — out of the three thousand split by 'honest Old Abe' thirty years ago on the Sangamon River bottoms. On the inside were two more, brilliantly hung with tapers.

I left the city on the night train on the Fort Wayne and Chicago road. The train consisted of eleven cars, every seat full and people standing in the aisles and corners. . . . At every station where there was a village until after two o'clock there were tar barrels burning, drums beating, boys carrying rails; and guns, great and small, banging away.

89. A Southerner's plea for union, November 14, 1860

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Honorable Alexander H. Stephens of Georgia, later Vice President of the Confederacy, was the last of the distinguished Southern statesmen to give up hope for the peaceful adjustment of the differences between North and South. In a speech before the Georgia legislature, a week after Lincoln's election, he said:

. . . The first question that presents itself is, Shall the people of Georgia secede from the Union in consequence of the election of Mr. Lincoln to the Presidency of the United States? My countrymen, I tell you frankly, candidly, and earnestly, that I do not think they ought. In my judgment, the election of no man, constitutionally chosen to that high office, is sufficient cause to justify any State to separate from the Union. It ought to stand by and aid still in maintaining the Constitution of the country. . . . If all our hopes are to be blasted, if the Republic is to go down, let us be found to the last moment standing on the deck with the Constitution of the United States waving over our heads. Let the fanatics of the North break the Constitution, if such is their fell purpose. Let the responsibility be with them. . . . We went into the election with this people. The result was different from what we wished; but the election has been constitutionally held. Were we to make a point of resistance to the Government, and go out of the Union merely on that account, the record would be made up hereafter against us.

But it is said Mr. Lincoln's policy and principles are against the Constitution, and that, if he carries them out, it will be destructive of our rights. Let us not anticipate a threatened evil.

If he violates the Constitution, then will come our time to act. . . . I do not anticipate that Mr. Lincoln will do anything to jeopard our safety or security, whatever may be his spirit to do it; for he is bound by the Constitutional checks which are thrown around him, which at this time render him powerless to do any great mischief. This shows the wisdom of our system. The President of the United States is no Emperor — no Dictator. He is clothed with no absolute power. He can do nothing unless he is backed by power in Congress. The House of Representatives is largely in a majority against him. . . . The gains in the Democratic party in Pennsylvania, Ohio, New Jersey, New York, Indiana, and other States . . . have been enough to make a majority of near thirty in the next House against Mr. Lincoln. . . .

In the Senate he will also be powerless. There will be a majority of four against him. . . . Mr. Lincoln cannot appoint an officer without the consent of the Senate, he cannot form a Cabinet without the same consent. . . . Why then, I say, should we disrupt the ties of this Union, when his hands are tied — when he can do nothing against us?

My honorable friend who addressed you last night [Mr. Toombs][1] and to whom I listened with the profoundest attention,

[1] Senator Robert Toombs, a Union man in 1850, had given up hope of preserving the Union. He went back to Washington in December, 1860, but after the failure of the Crittenden amendments he telegraphed to the citizens of Georgia, December 23, 1860: "I came here to secure your constitutional rights or to demonstrate to you that you can get no guarantees for these rights from your Northern confederates. The whole subject was referred to a committee of 13 in the Senate yesterday. I was appointed . . . I submitted propositions which . . . were all treated with derision or contempt. . . . The committee is controlled by Black Republicans, your enemies, who only seek to amuse you with delusive hope until your election [to a state convention] in order that you may defeat the friends of secession. . . . I tell you upon the faith of a true man, that all further looking to the North for security for your constitutional rights in this Union ought to be instantly abandoned. . . . Secession by the 4th of March next should be thundered from the ballot-box by the unanimous voice of Georgia."—U. B. Phillips, Correspondence of Toombs, Stephens, and Cobb, Annual Report of the American Historical Association, 1911, Vol. II, p. 525.

asks if we would submit to Black Republican rule? 'I say to you and to him, as a Georgian, I never would submit to any Black Republican aggression upon our Constitutional rights . . . ; and if they cannot be maintained in the Union standing on the Georgia Platform [see No. 81, p. 352], where I have stood from the time of its adoption, I would be in favor of disrupting every tie which binds the States together. I will have equality for Georgia, and for the citizens of Georgia, in this Union, or I will look for new safeguards elsewhere. This is my position. The only question now is, Can this be secured in the Union? . . . In my judgment, it may yet be. . . .

My countrymen, I am not of those who believe this Union has been a curse up to this time. True men, men of integrity, entertain different views from me on this subject. . . . Nor will I undertake to say that this Government of our Fathers is perfect. There is nothing perfect in this world of human origin. . . . But that this Government of our Fathers, with all its defects, comes nearer the objects of all good governments than any other on the face of the earth, is my settled conviction. . . .

When I look around and see our prosperity in everything — agriculture, commerce, art, science, and every department of progress physical, mental, and moral — certainly in the face of such an exhibition, if we can, without the loss of power or any essential right or interest, remain in the Union, it is our duty to ourselves and posterity to do so. . . .

Should Georgia determine to go out of the Union . . . I shall bow to the will of her people. Their cause is my cause, and their destiny is my destiny; and I trust this will be the ultimate course of all. The greatest curse that can befall a free people is civil war. . . .

I am for exhausting all that patriotism demands, before taking the last step. I would invite, therefore, South Carolina to a conference. I would ask the same of all the other Southern States, so that if the evil has got beyond our control, which God in his mercy grant may not be the case, we may not be divided among ourselves. . . . In this way, our sister Southern States can be induced to act with us; and I have but little doubt that the States of New York, and Pennsylvania, and Ohio, and the

other Western States, will compel their Legislatures to recede from their hostile attitude. . . .

I am, as you clearly perceive, for maintaining the Union as it is, if possible. I will exhaust every means thus to maintain it with an equality in it. My position, then, in conclusion, is for the maintenance of the honor, the rights, the equality, the security, and the glory of my native State in the Union, if possible. But if all this fails, we shall at least have the satisfaction of knowing that we have done our duty, and all that patriotism could require.

The Southern Confederacy

That each succeeding census marked the increasing preponderance of population in the free states, with their correspondingly increasing majorities in the presidential electoral columns and the House of Representatives, was the ultimate offense of the North in the eyes of the South. It was also a "crime of the North," in the eyes of stern antislavery men, that the nerveless administration at Washington should encourage a statesman of Georgia to "have but little doubt that the States of New York, and Pennsylvania, and Ohio, and the other Western States would compel their Legislatures to recede from their hostile attitude" toward slavery. In an article in the *Atlantic Monthly* for January, 1861, James Russell Lowell scourges Buchanan with scorpions for his subserviency to the slavery interests.

90. "The crime of the North," January, 1861 [419]

Mr. Buchanan seems to have no opinion, or, if he has one it is a halting between two, a bat-like cross of sparrow and mouse, that gives timidity its choice between flight and skulking. . . . Mr. Buchanan, by his training in a system of politics without a parallel for intrigue, personality, and partisanship, would have unfitted himself from taking a statesmanlike view of anything, even if he had ever been capable of it. . . . We

could not have expected from him a Message[1] around which the spirit, the intelligence and the character of the country would have rallied. But he might have saved himself from the evil fame of being the first of our Presidents who could never forget himself into a feeling of the dignity of the place he occupied. He has always seemed to consider the Presidency as a retaining-fee paid him by the slavery-propagandists, and his Message to the present Congress looks like the last juiceless squeeze of the orange which the South is tossing contemptuously away.

Mr. Buchanan admits as real the assumed wrongs of the South Carolina revolutionists, and even, if we understand him, allows that they are great enough to justify revolution. But he advises the secessionists to pause and try what can be done by negotiation. . . .

In 1832, General Jackson bluntly called the South Carolina doctrines treason, and the country sustained him. That they are not characterized in the same way now does not prove any difference in the thing, but only in the times and the men. They are none the less treason because James Buchanan is less than Andrew Jackson, but they are all the more dangerous. . . .

The subservience on the question of Slavery, which has hitherto characterized both the great parties of the country, has strengthened the hands of the extremists at the South, and has enabled them to get control of public opinion there by fostering false notions of Southern superiority and Northern want of principle. We have done so much to make them believe in their importance to us, and given them so little occasion

[1] Referring to Buchanan's last annual message of December 4, 1860, in which, after saying: "The framers of this government never intended to implant in its bosom the seeds of its own destruction," and, "Secession is neither more nor less than revolution," the President goes on to comfort the South by the doctrine that Congress had no power under the Constitution to compel a State to remain in the Union. Seward in a letter to his wife, December 5, summed up the case with humorous indignation: "The message shows conclusively that it is the duty of the President to execute the laws — unless somebody opposes him; and that no State has a right to go out of the Union — unless it wants to." — F. W. Seward, Life of Seward, Vol. II, p. 480.

even to suspect our importance to them, that we have taught them to regard themselves as the natural rulers of the country, and to look upon the Union as a favor granted to our weakness, whose withdrawal would be our ruin. Accordingly, they have grown more and more exacting, till at length the hack politicians of the Free States have become so imbued with the notion of yielding, and so incapable of believing in any principle of action higher than temporary expedients to carry an election . . . that Mr. Buchanan gravely proposes that the Republican party should pacify South Carolina by surrendering the very creed that called it into existence. . . . Worse than this, when the Free States, by overwhelming majorities have just expressed their conviction that slavery, as the creature of local law, can claim no legitimate extension beyond the limits of that law, he asks their consent to denationalize freedom and to nationalize slavery by an amendment of the Federal Constitution that shall make the local law of the Slave States paramount throughout the Union. Mr. Buchanan would stay the yellow fever by abolishing the quarantine hospital and planting a good virulent case or two in every village in the land.

We do not underestimate the gravity of the present crisis, and we agree that nothing should be done to exasperate it; but if the people of the Free States have been taught anything by the repeated lessons of bitter experience, it has been that submission is not the seed of conciliation, but of contempt and encroachment. The wolf never goes for mutton to the mastiff. It is quite time that it should be understood that freedom is also an institution deserving some attention in a Model Republic, that a decline in stocks is more tolerable and more transcient than one in public spirit, and that material prosperity was never known to abide long in a country that had lost its political morality. The fault of the Free States in the eyes of the South is not one that can be atoned for by any yielding of special points here and there. Their offence is that they are free, and that their habits and prepossessions are those of Freedom. Their crime is the census of 1860. Their increase in numbers, wealth, and power is a standing aggression. It would not be enough to please the Southern States that we should stop

asking them to abolish Slavery — what they demand of us is nothing less than that we should abolish the spirit of the age. Our very thoughts are a menace. It is not the North, but the South, that forever agitates the question of Slavery. . . . It is the stars in their courses that fight against their system, and there are those who propose to make everything comfortable by Act of Congress. . . .

A dissolution of the Union would be a terrible thing, but not so terrible as an acquiescence in the theory that Property is the only interest that binds men together in society, and that its protection is the highest object of human government. . . .

It is time that the South should learn, if they do not begin to suspect it already, that the difficulty of the Slavery question is slavery itself — nothing more, nothing less. It is time that the North should learn that it has nothing left to compromise but the rest of its self-respect. Nothing will satisfy the extremists at the South short of a reduction of the Free States to a mere police for the protection of an institution whose danger increases at an equal pace with its wealth. . . . The greatest danger of disunion would spring from a want of self-possession and spirit in the Free States.

91. Secession: its justification and its accomplishment, December, 1860

[420]

In response to many letters from his fellow citizens of Georgia, Honorable Howell Cobb, Secretary of the Treasury under Buchanan, published a pamphlet of sixteen pages in December, 1860, entitled, "Letter of Hon. Howell Cobb to the People of Georgia on the Present Condition of the Country." In it he answers the specific question, Does the election of Lincoln to the Presidency, in the usual and constitutional mode, justify the Southern States in dissolving the Union? After a severe arraignment of the Black Republican party, he concludes:

What are the facts to justify the hope that the Black Republicans will recede from their well defined position of hostility to the South and her institutions? Are they to be found in the two millions of voters who have deliberately declared in favor

of these doctrines by their support of Lincoln? Is the hope based upon the fact that an overwhelming majority of the people of every Northern State save one[1] cast their vote for the Black Republican candidate? Is it drawn from the fact that on the fourth of March next the chair of Washington is to be filled by a man who hates the institution of slavery as much as any other abolitionist, and who has not only declared but used all the powers of his intellect to prove that our slaves are our equals and that all laws which hold otherwise are violative of the Declaration of Independence and at war with the law of God — a man who is indebted for his present election to the Presidency alone to his abolition sentiments — and who stands pledged to the doctrine of the "irrepressible conflict," and indeed claims to be its first advocate? Or shall we look for this hope in the whispered intimation that when secure in his office, Lincoln will prove faithless to the principles of his party and false to his own pledges, or in his emphatic declaration of May 1859, that he would oppose the lowering of the Republican standard by *a hair's breadth*, or in the public announcement made by Senator Trumbull of Illinois, since the election, *in the presence* of Mr. Lincoln, that he, Lincoln, would "*maintain and carry forward the principles on which he was elected*," at the same time holding up the military power of the United States as the instrumentality to enforce obedience to the incoming abolition administration, should any Southern State secede from the Union; or in the prospect of a more efficient execution of the fugitive slave law, when the marshall's offices in all the Northern States shall have been filled with Lincoln's abolition appointees; or in the refusal of Vermont, since the election of Lincoln, by the decisive vote of more than two to one in her Legislature, to repeal the Personal Liberty Bill of

[1] That is, New Jersey, in which Douglas received three electoral votes. The statement is a gross exaggeration. "Overwhelming majorities" can hardly be spoken of in the light of the following figures: in New York, Lincoln 362,646, Douglas 312,510; in Illinois, Lincoln 172,161, Douglas 160,215; in Indiana, Lincoln 139,033, Douglas, 115,509; in New Hampshire, Lincoln 37,519, Douglas 25,881; in California, Lincoln 39,173, Douglas 38,516.

that State . . . or shall we be pointed to the defiant tones of triumph which fill the whole Northern air with the wild shouts of joy and thanksgiving that the days of slavery are numbered, and the hour draws nigh when the "higher law" and "hatred of slavery and slaveholders" shall be substituted for "the Constitution" and the spirit of former brotherhood; or to the cold irony which speaks through their press of the "*inconvenience*" of negro insurrections, arson, and murder which may result in the South from the election of Lincoln. . . .

I refer to one other source upon which the South is asked to rely, and will then close the argument. We are expected, in view of all these facts, to rely for our safety and protection upon an uncertain and at best trembling majority in the two Houses of Congress, and told, with an earnest appeal for further delay, that with a majority in Congress against him Lincoln is powerless to do us harm.[1] . . . It is true that without a majority in Congress Lincoln will not be able to carry out *at present* all the aggressive measures of his party. But let me ask if that feeble and constantly-decreasing majority in Congress against him can arrest that tide of popular sentiment at the North against slavery, which, sweeping down all barriers of truth, justice, and constitutional duty, has borne Mr. Lincoln into the presidential chair? Can that Congressional majority, faint and feeble as it is known to be, repeal the unconstitutional legislation of those ten nullifying States of the North?[2] Can it restore the lost equality of the Southern States? . . . Can it control the power and patronage of President Lincoln? . . . Can it exercise its power in one single act of legislation in our favor without the concurrence of Lincoln? . . . True but over-anxious friends of Union at the North, faithful but over-confiding men of the South, may catch at this Congressional majority straw, but it will only be to grasp and sink with it.

The facts and considerations which I have endeavored to bring to your view present the propriety of resistance on the

[1] See the argument of Alexander H. Stephens in his speech of November 14, 1860 (No. 89, p. 389).

[2] That is, the Northern states which by their Personal Liberty bills had "nullified" the Fugitive Slave Act of 1850.

part of the South to the election of Lincoln in a very different light from the mere question of resisting the election of a President who has been chosen in the usual and constitutional mode. It is not simply that a comparatively obscure abolitionist, who hates the institutions of the South, has been elected President . . . that the South contemplates resistance even to disunion. Wounded honor might tolerate the outrage until by another vote of the people the nuisance could be abated. But the election of Mr. Lincoln involves far higher considerations. It brings to the South the solemn judgment of a majority of the people of every Northern State — with a solitary exception — in favor of doctrines and principles violative of her constitutional rights, humiliating to her pride, destructive of her equality in the Union, and fraught with the greatest danger to the peace and safety of her people. It can be regarded in no other light than a declaration of the purpose and intention of the North to continue, with the power of the Federal Government, the war already commenced by the ten nullifying States of the North upon the institution of slavery and the constitutional rights of the South. . . .

The issue must now be met, or forever abandoned. Equality and safety in the Union are at an end; and it only remains to be seen whether our manhood is equal to the task of asserting and maintaining independence out of it. The Union formed by our Fathers was one of equality, justice, and fraternity. On the fourth of March it will be supplanted by a Union of sectionalism and hatred. . . . Black Republicanism has buried brotherhood in the same grave with the Constitution. We are no longer "brethren dwelling together in unity." The ruling spirits of the North are Black Republicans — and between them and the people of the South there is no other feeling than that of bitter and intense hatred. Aliens in heart, no power on earth can keep them united. Nothing now holds us together but the cold formalities of a broken and violated Constitution. Heaven has pronounced the decree of divorce, and it will be accepted by the South as the only solution which gives to her a promise of future peace and safety. . . .

Fellow-citizens of Georgia, I have endeavored to place before you the facts of the case in plain and unimpassioned language. . . .

On the 4th of March 1861, the Government will pass into the hands of the Abolitionists. It will then cease to have the slightest claim either upon your confidence or your loyalty; and, in my honest judgment, each hour that Georgia remains thereafter a member of the Union will be an hour of degradation, to be followed by certain and speedy ruin. I entertain no doubt of either your right or duty to secede from the Union. Arouse, then, all your manhood for the great work before you, and be prepared on that day to announce and maintain your independence out of the Union, for you will never again have equality and justice in it. Identified with you in heart, feeling, and interest, I return to share in whatever destiny the future has in store for our State and ourselves.

Two days after writing the above letter, Secretary Cobb put his resignation in President Buchanan's hands.

Washington City, Dec. 8, 1860

My dear Sir: A sense of duty to the State of Georgia requires me to take a step which makes it proper that I should no longer continue to be a member of your Cabinet.

In the troubles of the country consequent upon the late Presidential Election, the honor and safety of my State are involved. Her people so regard it, and in their opinion I fully concur. They are engaged in a struggle where the issue is life or death. My friends ask for my views and counsel. Not to respond would be degrading to myself and unjust to them. I have accordingly prepared, and must now issue to them, an address which contains the calm and solemn convictions of my heart and judgment. . . .

For nearly four years I have been associated with you as one of your Cabinet officers, and during that period nothing has occurred to mar, even for a moment, our personal and official relations. In the policy and measures of your Administration I have cordially concurred, and shall ever feel proud of the humble place which my name may occupy in its history. If your wise counsels and patriotic warnings had been heeded by your countrymen, the fourth of March next would have found our

country happy, prosperous, and united. That this will not be so is no fault of yours.

The evil has now passed beyond control, and must be met by each and all of us under our responsibility to God and our country. If, as I believe, history will have to record yours as the last administration of our present Union, it will also place it side by side with the purest and ablest of those that preceded it.

With the kindest regards for yourself and the members of your Cabinet, with whom I have been so pleasantly associated.

On December 20, 1860, the convention which had been assembled in South Carolina, on the news of Lincoln's election, by a unanimous vote of its one hundred and sixty-nine members adopted the following ordinance:

TO DISSOLVE THE UNION BETWEEN THE STATE OF SOUTH CAROLINA AND THE OTHER STATES UNITED WITH HER UNDER THE COMPACT ENTITLED "THE CONSTITUTION OF THE UNITED STATES OF AMERICA"

We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained

That the ordinance adopted by us in Convention, on the twenty-third day of May, in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and also all Acts and parts of Acts of the General Assembly of this State, ratifying amendments of the said Constitution, are hereby repealed; and that the Union now subsisting between South Carolina and the other States, under the name of the "United States of America" is hereby dissolved.[1]

[1] Accompanying the ordinance, was issued (December 24) a *Declaration of Causes*, in which the state, "having resumed her separate and equal place among nations," deemed it due to herself and the other states of the Union to declare the causes of separation. After accusing the Northern states of a steady course of policy for twenty-five years, destructive of constitutional government, the Declaration concludes by

The subsequent ordinances of secession were more detailed than the single paragraph of the South Carolina convention. The following ordinance of Alabama, adopted January 11, 1861, is unique in its specific mention of the election of Lincoln as the cause of secession, as well as in its invitation to all the other slaveholding states, whether they had seceded or not, to meet in a convention for "securing concerted and harmonious action":

Whereas, the election of Abraham Lincoln and Hannibal Hamlin to the offices of President and Vice President of the United States of America, by a sectional party, avowedly hostile to the domestic institutions and to the peace and security of the people of the State of Alabama, preceded by many and dangerous infractions of the Constitution of the United States by many of the States and people of the Northern section, is a political wrong of so insulting and menacing a character as to justify the people of the State of Alabama in the adoption of prompt and decided measures for their future peace and security: Therefore

Be it declared and ordained by the people of the State of Alabama in convention assembled, That the State of Alabama now withdraws, and is withdrawn, from the Union known as "the United States of America," and henceforth ceases to be one of the said United States, and is, and of right ought to be, a sovereign and independent State.

Sec. 2. *Be it further declared and ordained by the people of the State of Alabama in convention assembled*, That all the powers over the territory of said State, and over the people thereof, heretofore delegated to the Government of the United States of America be, and they are hereby, withdrawn from said

an appeal to the Supreme Judge of the world for the rectitude of the conduct of the convention, and the unequivocal announcement of the independence of South Carolina, "with full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent States may of right do." Printed in American History Leaflets, ed. Hart and Channing, No. 12, pp. 3–9.

Government, and are hereby resumed and vested in the people of the State of Alabama.

And as it is the desire and purpose of the State of Alabama to meet the slaveholding States of the South who may approve such purpose, in order to frame a provisional as well as a permanent government, upon the principles of the Constitution of the United States

Be it resolved by the people of Alabama in Convention assembled, That the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky, and Missouri, be, and are hereby, invited to meet the people of the State of Alabama, by their delegates, in convention, on the 4th day of February, A.D. 1861, at the city of Montgomery, in the State of Alabama, for the purpose of consulting with each other as to the most effectual mode of securing concerted and harmonious action in whatever measures may be deemed most desirable for our common peace and security.

And be it further resolved, That the President of this convention be, and is hereby, instructed to transmit forthwith a copy of the foregoing preamble, ordinance, and resolutions, to the Governors of the several States named in said resolutions.

Done by the people of the State of Alabama, in convention assembled, at Montgomery, on this, the 11th day of January, A.D. 1861.

The Fall of Fort Sumter

92. The bombardment of Fort Sumter, April 12–14, 1861

[424]

Captain Abner Doubleday, from whose vivid narrative the following extract is taken, was second in command to Major Robert Anderson in the little garrison at Fort Sumter. It was Doubleday who conducted the transfer of Anderson's force from Fort Moultrie on the mainland to Fort Sumter in the harbor of Charleston, on December 16, 1860;[1] it was he who fired the first gun from the parapet

[1] Anderson's dispatch to Colonel Cooper, adjutant general, dated from Fort Sumter, December 16, 1860, 8 P.M.: "Colonel: I have the honor to report that I have just completed, by the blessing of God, the

of Sumter in reply to Beauregard's bombardment; and it was he who after the surrender led the garrison out with the honors of war, the flag flying, and the band playing "Yankee Doodle."

The enemy's batteries on Sullivan's Island were so placed as to fire directly into the officers' quarters at Fort Sumter; and as our rooms would necessarily become untenable, we vacated them, and chose points that were more secure. . . . About 4 A.M. on the 12th [of April] I was awakened by some one groping about my room in the dark and calling out my name. It proved to be Anderson who came to announce to me that he had just received a dispatch from Beauregard,[1] dated 3.20 A.M., to the effect that he should fire upon us in an hour. . . .

As soon as the outline of our fort could be distinguished, the enemy carried out their programme. . . . In a moment the firing burst forth in one continuous roar, and large patches of both the exterior and interior masonry began to crumble and fall in all directions.[2] The place where I was had been used for the

removal to this fort of all my garrison, except the surgeon, four non-commissioned officers, and seven men. We have one year's supply of hospital stores and about four months' supply of provisions for my command. I left orders to have all the guns at Fort Moultrie spiked, and the carriages of the 32-pounders, which are old, destroyed. I have sent orders to Captain Foster, who remains at Fort Moultrie, to destroy all the ammunition which he cannot send over. The step which I have taken was, in my opinion, necessary to prevent the effusion of blood." — Quoted by S. W. Crawford, The Genesis of the Civil War, p. 106.

[1] Dispatch of Colonel Chestnut and Captain Lee to Major Anderson, dated April 12, 1861, 3.30 A.M.: "Sir: By authority of Brigadier-General Beauregard, commanding the provisional forces of the Confederate States, we have the honor to notify you that he will open the fire of his batteries on Fort Sumter in one hour from this time." The Genesis of the Civil War, p. 426.

[2] S. W. Crawford, surgeon general of the garrison, gives the following picture of the opening of the fire: "The sea was calm, and the night still under the bright starlight, when at 4.30 A.M. the sound of a mortar from a battery at Fort Johnson broke upon the stillness. It was the signal to the batteries around to open fire. The shell, fired by Capt. George St. James, who commanded the battery, rose high in air, and

manufacture of cartridges, and there was still a good deal of powder there, some packed and some loose. A shell soon struck near the ventilator, and a puff of dense smoke entered the room, giving me a strong impression that there would be an immediate explosion. Fortunately, no sparks had penetrated inside.

Nineteen batteries were now hammering at us, and the balls and shells from the ten-inch columbiads,[1] accompanied by shells from the thirteen-inch mortars which constantly bombarded us, made us feel as if the war had commenced in earnest.

When it was broad daylight, I went down to breakfast. I found the officers already assembled at one of the long tables in the mess-hall. Our party were calm, and even somewhat merry. . . . Our meal was not very sumptuous. It consisted of pork and water, but D^r^ Crawford triumphantly brought forth a little farina, which he had found in a corner of the hospital.

When this frugal repast was over, my company was told off in three details for firing purposes, to be relieved afterward by Seymour's company. As I was the ranking officer, I took the first detachment, and marched them to the casemates, which looked out upon the powerful iron-clad battery of Cummings Point.

In aiming the first gun fired against the rebellion I had no feeling of self-reproach, for I fully believed that the contest was inevitable and was not of our seeking. The United States was called upon not only to defend its sovereignty, but its right to exist as a nation. The only alternative was to submit to a powerful oligarchy who were determined to make freedom forever subordinate to slavery. To me it was simply a contest, politically speaking, as to whether virtue or vice should rule. . . .

curving in its course, burst almost directly over the fort. A silence followed for a few moments, when a gun opened from the Ironclad battery on Cummings Point. Hardly had the echo of this opening gun died upon the air, when the mortars nearest to the fort opened their fire, which was at once followed by others in the neighborhood, and in succession by the batteries around, until the fort was 'surrounded by a circle of fire.'" — The Genesis of the Civil War, p. 427.

[1] The columbiad was a cast-iron smooth-bore cannon from which both shells and solid shot were fired. It was used extensively in the War of 1812, but was already old-fashioned at the opening of the Civil War.

The firing continued all day, without any special incident of importance, and without our making much impression on the enemy's works. They had a great advantage over us, as their fire was concentrated on the fort, which was in the center of the circle, while ours was diffused over the circumference. Their missiles were exceedingly destructive to the upper exposed portion of the work, but no essential injury was done to the lower casemates which sheltered us.

Some of these shells, however, set the officers' quarters on fire three times; but the flames were promptly extinguished. . . .

On the morning of the 13th, we took our breakfast — or, rather, our pork and water — at the usual hour, and marched the men to the guns when the meal was over. From 4 to 6½ A.M. the enemy's fire was very spirited. From 7 to 8 A.M. a rainstorm came on, and there was a lull in the cannonading. About 8 A.M. the officers' quarters were ignited. . . . The fire was put out; but at 10 A.M. a mortar shell passed through the roof, and lodged in the flooring of the second story, where it burst, and started the flames afresh. This, too, was extinguished; but the hot shot soon followed each other so rapidly that it was impossible for us to contend with them any longer. It became evident that the entire block, being built with wooden partitions, floors, and roofing, must be consumed, and that the magazine, containing 300 barrels of powder, would be endangered. . . .

While the officers exerted themselves with axes to tear down and cut away all woodwork in the vicinity, the soldiers were rolling barrels of powder out to more sheltered spots, and were covering them with wet blankets. . . . We only succeeded in getting out some 96 barrels of powder, and then we were obliged to close the massive copper door. . . .

By 11 A.M. the conflagration was terrible and disastrous. One fifth of the fort was on fire, and the wind drove the smoke in dense masses into the angle where we all had taken refuge. It seemed impossible to escape suffocation. Some lay down close to the ground, with handkerchiefs over their mouths, and others posted themselves near the embrasures, where the smoke was somewhat lessened by the draught of air. Everyone suffered severely. I crawled out on one of these openings and sat on the

outer edge; but Ripley [a Charleston gunner] made it lively for me there with his case-shot, which spattered all around. Had not a slight change of wind taken place, the result might have been fatal to most of us. . . .

The scene at this time was really terrific. The roaring and crackling of the flames, the dense masses of whirling smoke, the bursting of the enemy's shells, and our own which were exploding in the burning rooms, the crashing of the shot and the sound of masonry falling in every direction, made the fort a pandemonium. When at last nothing was left of the building but the blackened walls and smoldering embers, it became painfully evident that an immense amount of damage had been done. There was a tower at each angle of the fort. One of these, containing great quantities of shells, upon which we had relied, was almost completely shattered by successive explosions. The massive wooden gates, studded with iron nails, were burned, and the wall built behind them was now a mere heap of débris, so that the main entrance was wide open for an assaulting party. The sally-ports were in similar condition, and the numerous windows on the gorge side, which had been planked up, had now become all open entrances.

About 12.48 P.M. the end of the flagstaff was shot down, and the flag fell. It had previously been hanging by one halliard, the other having been cut by a piece of shell. The exultation of the enemy however was short-lived. Peter Hart found a spar in the fort which answered very well as a temporary flagstaff. He nailed the flag to this, and raised it triumphantly by nailing and tying the pole firmly to a pile of gun-carriages on the parapet. This was gallantly done, without undue haste, under Seymour's supervision, though the enemy concentrated all their fire upon the spot to prevent Hart from carrying out his intention. . . .

About 2 P.M. Senator Wigfall [of Texas] in company with W. Gourdin Young of Charleston, unexpectedly made his appearance at one of the embrasures, having crossed over from Morris Island in a small boat, rowed by negroes. He had seen the flag come down, and supposed that we had surrendered in consequence of the burning of the quarters. . . . Wigfall, in

Beauregard's name, offered Anderson his own terms, which were, the evacuation of the fort, with permission to salute our flag, and to march out with the honors of war, with our arms and private baggage, leaving all other war material behind. . . .

When Beauregard received notice that Anderson was willing to ratify the terms agreed on, he sent over another boat containing Colonel Miles [and others] to arrange the details of the evacuation. . . . Our arrangements were few and simple, but the rebels made extensive preparations for the event, in order to give it the greatest éclat, and gain from it as much prestige as possible. The population of the surrounding country poured into Charleston in vast multitudes, to witness the humiliation of the United States flag. . . .

The next morning, Sunday, the 14th, we were up early, packing our baggage in readiness to go on board the transport. The time having arrived, I made preparations, by order of Major Anderson, to fire a national salute to the flag. . . . The salute being over, the Confederate troops marched in to occupy the fort. . . . Anderson directed me to form the men on the parade-ground, assume command, and march them on board the transport. I told him I should prefer to leave the fort with the flag flying, and the drums beating Yankee Doodle, and he authorized me to do so. As soon as our tattered flag came down, and the silken banner made by the ladies of Charleston was run up, tremendous shouts of applause were heard from the vast multitude of spectators; and all the vessels and steamers, with one accord, made for the fort. . . .

As we went aboard the *Isabel*, with drums beating the national air, all eyes were fixed on us. . . . It was an hour of triumph for the originators of secession in South Carolina, and no doubt it seemed to them the culmination of all their hopes; but could they have seen into the future with the eye of prophecy, their joy might have been turned into mourning. . . .

My story is nearly done. We soon reached the *Baltic*, and were received with great sympathy and feeling by the army and navy officers present. . . . We arrived in New York on the 19th, and were received with unbounded enthusiasm. All the passing steamers saluted us with their steam-whistles and bells, and

cheer after cheer went up from the ferry-boats and vessels in the harbor. . . . The principal city papers, the *Tribune*, *Times*, *Herald*, and *Evening Post*, gave us a hearty welcome. For a long time the enthusiasm in New York remained undiminished. It was impossible for us to venture into the main streets without being ridden on the shoulders of men, and torn to pieces by hand-shaking. . . . It seemed as if every one of note called to express his devotion to the cause of the Union, and his sympathy with us, who had been its humble representatives amidst the perils of the first conflict of the war.

CHAPTER XVI

THE CIVIL WAR

The Opposing Forces

93. War measures, from April to August, 1861

[435]

The following proclamations and laws show how the government at Washington met the outbreak of the Civil War. They include (*a*) President Lincoln's call for 75,000 volunteer troops on the day following the fall of Fort Sumter (April 15); (*b*) the President's declaration of a blockade of the coast of the seceded states (April 19); (*c*) the authorization of a national loan by Congress in extra session (July 17); (*d*) a resolution of Congress declaring the purpose of the war (July 22); and (*e*) an act to confiscate the property, including slaves, which was used to further the insurrection (August 6).

(*a*)

Whereas the laws of the United States have been, for some time past, and now are opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law:

Now, therefore, I, Abraham Lincoln, President of the United States, in virtue of the power in me vested by the Constitution and the laws, have thought fit to call forth, and hereby do call forth the militia of the several States of the Union, to the aggregate number of seventy-five thousand, in order to suppress said combinations, and to cause the laws to be duly executed.

The details for this object will be immediately communicated to the State authorities through the War Department.

I appeal to all loyal citizens to favor, facilitate, and aid this effort to maintain the honor, the integrity, and the existence of our National Union, and the perpetuity of popular government; and to redress wrongs already long enough endured.

I deem it proper to say that the first service assigned to the forces hereby called forth will probably be to repossess the forts, places, and property which have been seized from the Union; and in every event the utmost care will be observed, consistently with the objects aforesaid, to avoid any devastation, any destruction of, or interference with property, or any disturbance of peaceful citizens in any part of the country.

And I hereby command the persons composing the combinations aforesaid to disperse, and retire peaceably to their respective abodes within twenty days from this date.

Deeming that the present condition of public affairs presents an extraordinary occasion, I do hereby, in virtue of the power in me vested by the Constitution, convene both Houses of Congress. Senators and Representatives are therefore summoned to assemble at their respective chambers at twelve o'clock, noon, on Thursday, the fourth day of July next, then and there to consider and determine such measures as, in their wisdom, the public safety and interest may seem to demand.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this fifteenth day of April, in the year of our Lord one thousand eight hundred and [L.S.] sixty one, and of the Independence of the United States the eighty-fifth.

Abraham Lincoln

By the President

William H. Seward, Secretary of State

(*b*)

Whereas an insurrection against the Government of the United States has broken out in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas,

and the laws of the United States for the collection of the revenue cannot be effectually executed therein conformably to that provision of the Constitution which requires duties to be uniform throughout the United States:

And whereas a combination of persons, engaged in such insurrection, have threatened to grant pretended letters of marque to authorize the bearers thereof to commit assaults on the lives, vessels, and property of good citizens of the country lawfully engaged in commerce on the high seas, and in waters of the United States . . .

Now, therefore, I, Abraham Lincoln, President of the United States, with a view to the same purposes before mentioned, and to the protection of the public peace, and the lives and property of quiet and orderly citizens pursuing their lawful occupations, until Congress shall have assembled and deliberated on the said unlawful proceedings, or until the same shall have ceased, have further deemed it advisable to set on foot a blockade of the ports within the States aforesaid, in pursuance of the laws of the United States and of the laws of nations in such case provided. For this purpose a competent force will be posted so as to prevent entrance and exit of vessels from the ports aforesaid. If, therefore, with a view to violate such blockade, a vessel shall approach, or shall attempt to leave either of the said ports, she will be duly warned by the commander of one of the blockading vessels, who will indorse on her register the fact and date of such warning, and if the same vessel shall again attempt to enter or leave the blockaded port, she will be captured and sent to the nearest convenient port, for such proceedings against her and her cargo as prize, as may be deemed advisable.

And I hereby proclaim and declare that if any person, under the pretended authority of the said States, or under any other pretence, shall molest a vessel of the United States, or the persons or cargo on board of her, such person will be held amenable to the laws of the United States for the prevention and punishment of piracy. . . .

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done . . . this nineteenth day of April etc. . . .

Abraham Lincoln

(*c*)

Be it enacted . . . That the Secretary of the Treasury be, and he is hereby, authorized to borrow on the credit of the United States, within twelve months from the passage of this act, a sum not exceeding two hundred and fifty millions of dollars, or so much thereof as he may deem necessary for the public service, for which he is authorized to issue coupon bonds, or registered bonds, or treasury notes, in such proportion of each as he may deem advisable; the bonds to bear interest not exceeding seven per centum per annum, payable semi-annually, irredeemable for twenty years, and after that period redeemable at the pleasure of the United States; and the treasury notes to be of any denomination fixed by the Secretary of the Treasury, not less than fifty dollars, and to be payable three years after date, with interest at the rate of seven and three tenths per centum per annum,[1] payable semi-annually. And the Secretary of the Treasury may also issue in exchange for coin, and as part of the above loan, or may pay for salaries or other dues from the United States, treasury notes of a less denomination than fifty dollars, not bearing interest, but payable on demand by the Assistant Treasurers of the United States at Philadelphia, New York, or Boston . . . *provided* that no treasury notes shall be issued of a less denomination than ten dollars, and that the whole amount of treasury notes, not bearing interest, issued under the authority of this act, shall not exceed fifty millions of dollars. . . .

And be it further enacted, That the Secretary of the Treasury may, if he deem it advisable, negotiate any portion of said loan, not exceeding one hundred millions of dollars, in any foreign country and payable at any designated place either in the United States or in Europe. . . .

And be it further enacted, That the faith of the United States is hereby solemnly pledged for the payment of the interest and redemption of the principal of the loan authorized by this act. . . .

Approved, July 17, 1861.

[1] The peculiar figure of 7.3 per cent was adopted for the convenient reason that it made the interest on the $50 note exactly a cent a day.

(*d*)

Resolved . . . That the present deplorable Civil War has been forced upon the country by the disunionists of the southern States, now in arms against the constitutional government, and in arms around the capital; that in this national emergency, Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged on their part in any spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; and that as soon as these objects are accomplished the war ought to cease.

(*e*)

Be it enacted . . . That if, during the present or any future insurrection against the Government of the United States, after the President of the United States shall have declared, by proclamation, that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person or persons, his, her, or their agent, attorney, or employé shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated, and condemned. . . .

And be it further enacted, That the Attorney-General or any district attorney of the United States in which said property may

at the time be, may institute the proceedings of condemnation, and in such case they shall be wholly for the benefit of the United States; or any person may file an information with such attorney, in which case the proceedings shall be for the use of such informer and the United States in equal parts.

And be it further enacted, That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law of any State, shall be required or permitted by the person to whom such labor or service is claimed to be due, or by the lawful agent of such person, to take up arms against the United States . . . or to work or be employed in or upon any fort, navy yard, dock, armory, ship, entrenchment, or in any military or naval service whatsoever, against the Government and lawful authority of the United States, then, and in every such case, the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the State or of the United States to the contrary notwithstanding. And whenever thereafter the person claiming such labor or service shall seek to enforce his claim, it shall be a full and sufficient answer to such claim that the person whose service or labor is claimed had been employed in hostile service against the Government of the United States, contrary to the provisions of this act.[1]

Approved, August 6, 1861.

[1] President Lincoln, who was determined at the beginning of the war to adhere to his professed policy of preserving the Union rather than freeing the slaves, and who was consequently very careful not to alienate or offend the loyal slaveowners, signed this bill with reluctance. However, the actual confiscation of negroes had begun several months before. As early as May 24, General B. F. Butler, commanding at Fortress Monroe, in Virginia, had refused to deliver up to their owners negro slaves who had come into the Union lines. His pretext was that, having been employed in the construction of a confederate battery, the negroes were "contraband of war," and he forthwith set them to work on the Union entrenchments. Later in the year other commanders in the field (Frémont, Hunter) took it upon themselves to declare the emancipation of the slaves in their districts.

From Bull Run to Gettysburg

94. The British view of the Trent affair, November–December, 1861

[442]

The relations of the Federal government and the court of St. James were sorely strained during the Civil War by the open sympathies of the governing classes and the influential journals of England with the Southern cause, and by the remissness of the British ministry in allowing ships to be built and launched in English yards for the purpose of preying on Northern commerce. President Lincoln's proclamation of the blockade of the Southern ports (see No. 93 (*b*), p. 409) was a severe blow to British trade,[1] and threatened to cripple British industry by shutting off the supply of raw cotton for her mills.[2] The queen's proclamation of neutrality of May 13, 1861, recognized the secessionists as belligerents, whereas the administration at Washington affected to regard them as traitors — even after Bull Run and the beginning of an interchange of prisoners

[1] Lord Lyons, the British minister at Washington, writing to his home government of the proposed blockade, said: "Calling it an enforcement of the Revenue Laws appeared to me to increase the gravity of the measure, for it placed the Foreign Powers in the dilemma of recognizing the Southern Confederation, or of submitting to the interruption of their Commerce." — Lord Newton, Lord Lyons, Vol. I, p. 33.

[2] *Punch*, the London comic paper, summed up the dilemma between ethics and profits thus:

Though with the North we sympathize,
It must not be forgotten
That with the South we 've stronger ties
Which are composed of cotton,
Whereof our imports mount unto
A sum of many figures;
And where would be our calico
Without the toil of niggers?

Quoted by Rhodes, History of the United States since 1850, Vol. III, p. 433. Seward wrote to his wife, May 17, 1861: "Great Britain is in great danger of sympathizing so much with the South, for the sake of peace and cotton, as to drive us to make war against her as the ally of the traitors." — Frederick Bancroft, Life of Seward, Vol. II, p. 575.

of war.[1] So the forcible removal of Messrs. Mason and Slidell from the British steamer *Trent*, applauded enthusiastically by the majority of the President's cabinet, the members of Congress, and the general public of the North, appeared to the British government as the last act in a policy of deliberate infraction of their neutral rights. The people of England were aflame with indignation.[2] Eight thousand troops were dispatched to Canada, and war between the United States and England seemed imminent as the Christmas season of 1861 approached. Lord Lyons, the British minister at Washington, wrote to his chief, Lord John Russell, foreign minister in Lord Palmerston's cabinet:

Washington, Nov. 22, 1861

I have all along been expecting some such blow as the capture on board the *Trent*. Turn out how it may, it must I fear produce an effect on public opinion in both countries which will go far to disconcert all my peaceful plans and hopes. I am so worn out with the never-ending labor of keeping things smooth, under the discouragement of the doubt whether by so doing I am not after all only leading these people to believe that they may go all lengths with us with impunity that I am sometimes

[1] Even as late as the autumn of 1861 Seward maintained that any communication between a foreign government and the Confederate government at Richmond was an offense to the United States (Lord Newton, Lord Lyons, Vol. I, p. 53). As there was no government but the Confederate below Mason and Dixon's line, this meant that England and other foreign nations were to have no tribunal to which to appeal to safeguard the lives and property of their citizens living in eleven great states of the South.

[2] An American living in London wrote to Mr. Seward two days after the arrival of the news of the *Trent* episode (November 29): "There never was within memory such a burst of feeling as has been created by the news of the boarding of the [*Trent*]. The people are frantic with rage, and were the country polled, I fear that 999 men out of a thousand would declare for immediate war. Lord Palmerston cannot resist the impulse if he would." — War Records, Series II, Vol. II, p. 1107.

half tempted to wish that the worst may have come already. However, I do not allow this feeling to influence my conduct, and I have done nothing which can in the least interfere with any course which you may take concerning the affair of the *Trent*.

If the effect on the people and Government of this country were the only thing to be considered, it would be a case for an extreme measure one way or the other. If the capture be unjustifiable we should ask for the immediate release of the prisoners, promptly, imperatively, with a determination to act at once, if the demand were refused. If, on the other hand, the capture be justifiable, we should at once say so, and declare that we have no complaint to make on the subject. Even so, we should not escape the evil of encouraging the Americans in the belief that we shall bear anything from them. For they have made up their minds that they have insulted us, although the fear of the consequences prevents their giving vent to their exultation. . . . While maintaining entire reserve on the question itself, I have avoided any demonstration of ill-humor. My object has been, on the one hand, not to prevent the Government being led by its present apprehensions to take some conciliatory step, and on the other hand, not to put H.[er] M.[ajesty's] Government or myself in an awkward position, if it should after all appear that we should not be right to make the affair a serious ground of complaint.

Congress will meet on December 2nd, which will not diminish the difficulty of managing matters here. It is supposed that General McClellan will be obliged to attempt some forward movement, in order that he and the Government [cabinet] may be able to meet the fiery legislators. . . .

On November 27th news of the boarding of the *Trent* reached England, and on the 30th the British cabinet drew up a dispatch declaring that the neutral rights of Great Britain had been violated, demanding that the act be disavowed and the prisoners set free, and instructing Lord Lyons to leave Washington should the government refuse to comply with these demands. When the dispatch

was submitted to the queen and her royal consort, Prince Albert, the latter (then on his deathbed) suggested several modifications and mitigations of its peremptory tone, such as the omission of the phrase "wanton insult" and of the imperative mood and the threat to terminate diplomatic relations. The revised draft read, in its important parts:

> . . . Her Majesty's Government, bearing in mind the friendly relations which have long subsisted between Great Britain and the United States, are willing to believe that the United States's naval officer who committed this aggression was not acting in compliance with any authority from his Government, or that if he conceived himself to be so authorized, he greatly misunderstood the instructions which he had received.
>
> For the Government of the United States must be fully aware that the British Government could not allow such an affront to the national honour to pass without full reparation, and her Majesty's Government are unwilling to believe that it could be the deliberate intention of the Government of the United States unnecessarily to force into discussion between the two Governments a question of so grave a character, and with regard to which the whole British nation would be sure to entertain such unanimity of feeling.
>
> Her Majesty's Government, therefore, trust that when this matter shall have been brought under the consideration of the Government of the United States, that Government will, of its own accord, offer to the British Government such redress as alone would satisfy the British nation, namely, the liberation of the four gentlemen, and their delivery to your Lordship, in order that they may again be placed under British protection, and a suitable apology for the aggression which has been committed.
>
> Should these terms not be offered by Mr. Seward, you will propose them to him.

John Bright, the distinguished liberal statesman, and member of parliament from Rochdale, near Manchester, though himself a large cotton manufacturer, was the most

constant and ardent friend of the North in the little group of Union sympathizers among the public men of England. He was a regular correspondent of Charles Sumner, chairman of the Senate Committee on Foreign Relations,[1] to whom he wrote in the *Trent* crisis as follows:

Reform Club, London, Nov. 29, 1861

Dear Mr. Sumner, —

I am here for a few days, where some excitement is caused by recent incidents growing out of your unhappy troubles. . . . The Southern Commissioners have been taken from an English ship. This has made a great sensation here, and the ignorant and passionate, and "Rule Britannia" class are angry and insolent as usual.[2]

[1] Bright's letters were read to Lincoln and Seward, and sometimes to the whole cabinet in regular session. After Lincoln's death Bright wrote in his diary: "I have had no direct communication from the late President, but my letters to Mr. Charles Sumner, as well as those from Mr. Cobden, were frequently read by him, and he sent me, through Mr. Sumner, in his own handwriting, a draft resolution which he suggested as likely to be useful if adopted at public meetings held in this country in favor of the North. It referred to the question of slavery, and the impossibility of our recognizing a new state based on the foundation of human bondage." — G. M. Trevelyan, Life of John Bright, p. 303 (with half-tone facsimile of Lincoln's autograph draft).

[2] An example of the "Rule Britannia" insolence appeared in the *Morning Chronicle* the day before Mr. Bright wrote. "Abraham Lincoln," said the editorial, "whose accession to power was generally welcomed on this side of the Atlantic, has proved himself a feeble, confused, and little-minded mediocrity; Mr. Seward, the firebrand at his elbow, is exerting himself to provoke a quarrel with all Europe, in that spirit of senseless egotism, which induces the Americans, with their dwarf fleet and shapeless mass of incoherent squads, which they call an army, to fancy themselves the equals of France by land, and of Great Britain by sea. If the Federal States could be rid of these two mischief-makers, it might yet redeem itself in the sight of the world; but while they stagger on at the head of affairs, their only chance of fame consists in the probability that the navies of England will blow out of the water their blockading squadrons, and teach them how to respect the flag of a mightier supremacy beyond the Atlantic." — Quoted in Massachusetts Historical Society Proceedings, 1911–1912, Vol. XLV, p. 147.

The Ministers meet at this moment on the case. The law officers say that your war steamer might have taken the *despatches* or the *ship itself* into one of your ports for adjudication; but that to take the Commissioners was unlawful, inasmuch as it is not permitted for an officer of a ship of war finally to decide on the right of capture. That duty belongs to a regularly constituted Court. In fact you have done too little or too much. Had you taken the ship, the law would not have been broken; but having taken only the men you are in the wrong. . . .

I hope our Government will take a moderate and forbearing course, and that yours will do the same. I am sure you will do what you can to smooth any irritation which may exist with you, and you have great power.

I may learn something more this way, for I shall probably see some Minister later in the day, and I am to dine with Mr. Adams [United States minister to England] at seven o'clock. . . . I hope to do some service for both countries on Wednesday next. . . .

There is a feeling among our Ministers that Mr. Seward is not so friendly in his transactions with them as they could wish. I hope this is not so. . . .

Rochdale, December 5, 1861

Dear Mr. Sumner, —

The excitement here has been and is great, and it is fed, as usual, by newspapers whose writers seem to imagine a cause of war discovered to be something like "treasure trove." I am not informed of the nature of the dispatch of our Government beyond what appears in our Papers, and I know not how far its tone is moderate or otherwise. . . . If I were Minister or President in your country, I would write the most complete answer the case is capable of, and in a friendly and courteous tone, send it to this country. I would say that if after this, your view of the case is not accepted, you are ready to refer the matter to any Sovereign, or two Sovereigns, or Governments of Europe, or to any other eligible tribunal, and to abide by the decision. . . .

I think you may do this with perfect honor, and you would make it impossible for the people of England to support our Government in any hostile steps against you. In fact, I think

a course so moderate and just would bring over to your side a large amount of opinion here that has been poisoned and misled by the *Times* and other journals since your troubles began. . . .

I need not tell you, who are much better acquainted with modern history than I am, that Nations *drift* into wars, as we drifted into the late war with Russia [1854] often thro' the want of a resolute hand at some moment early in the quarrel. So now, a courageous stroke, not of arms but of moral action, may save you and us. I suppose the act of Captain Wilkes was not directly authorized by your Government; if so, the difficulty will be smaller. . . .

It is common here to say that your Government cannot resist the mob violence with which it is surrounded. I do not believe this. . . . Your Congress is just meeting, and your Foreign Relations Committee and your Senate will have this matter in hand. If you deal with it so wisely as to put our Government in the wrong in the sight of all moderate men here, you will not only avoid the perils now menacing, but you will secure an amount of friendly sympathy here which hitherto unhappily has not been given you. . . . Don't allow *temper* in any of your statesmen to turn his judgment. Without foreign war I look to the restoration of your Union. Give no advantage to the enemies of your Republic here, and you will be all right again by and bye. . . .

Rochdale, December 7, 1861

Dear Mr. Sumner —

I write a few lines more for the steamer at Cork tomorrow. There is more calmness here in the public mind . . . but I fear the military and naval demonstrations of our Government point to trouble, and I am not sure that it would grieve certain parties here if any decent excuse could be found for a quarrel with you. You know the instinct of aristocracy and of powerful military services, and an ignorant people is easily led astray on questions foreign to their usual modes of thought. . . .

At all hazards you must not let this matter grow to a war with England, even if you are right and we are wrong. War will be fatal to your idea of restoring the Union and we know not what may survive its evil influences. I am not now considering its effects here — they may be serious enough, but I

am looking alone to your great country, the hope of freedom and humanity, and I implore you not on any feeling that nothing can be conceded, and that England is arrogant and seeking a quarrel, to play the game of every enemy of your country. Nations in great crises and difficulties have often done that which in their prosperous and powerful hour they would not have done, and they have done it without humiliation or disgrace. You may disappoint your enemies by the moderation and reasonableness of your conduct, and every honest and good man in England will applaud your wisdom. Put all the fire-eaters in the wrong, and Europe will admire the sagacity of your Government.

Rochdale, January 11, 1862

DEAR MR. SUMNER,

Your letter of the 23d ult. reached me on the 7th of this month. It showed such evidences of anxiety on your part that it made me intensely anxious, and I was not prepared for the tidings of the following day, which announced the settlement of the question which was the main cause of immediate danger.[1] I need not tell you how much I rejoice, or how much I admire the dignity and tact with which the matter has been dealt with in the despatch of your Government. The war-mongers here are baffled for the time, and I cannot but believe that a more healthy opinion is gradually extending itself on all matters connected with your great struggle.

95. Pen pictures of the war [446, 451, 464]

Sarah Morgan Dawson was the daughter of Thomas G. Morgan, a district judge of Louisiana. She was a girl in her late teens when the war broke out, and she kept a diary of the eventful days from March 9, 1862, to the end of the

[1] The dispatch of the British government (see p. 417) was presented by Lord Lyons to Seward on December 19. Eight days later Seward's reply was received at the British embassy. It was a long and labored document, but the gist of it was in these few lines: "The four persons in question [Mason and Slidell, and their secretaries] are now held in military custody at Fort Warren in the State of Massachusetts. They will be cheerfully liberated. Your Lordship will please indicate a time and place for receiving them." — Senate Executive Documents, 37th Congress, 2d session, Vol. IV, No. 8, p. 13.

war. On her death a few years ago at Versailles, France, her son Warrington Dawson published the diary (1913). The passages here taken from it illustrate the proud spirit of the Southern women and the trials to which they were subjected in the invasion of their homes.

April 26, 1862

There is no word in the English language that can express the state in which we are and have been these last three days. Day before yesterday news came early in the morning of three of the enemy's boats passing the Forts,[1] and then the excitement began. It increased rapidly on hearing of the sinking of eight of our gunboats in the engagement, the capture of the Forts, and last night of the burning of the wharves and cotton in the city while the Yankees were taking possession. . . . We went this A.M. to see the cotton burning — a sight never before witnessed, and probably never again to be seen. Wagons, drays, everything that could be driven or rolled, were loaded with the bales and taken a few squares back to be burned on the common. Negroes were running around, cutting them open, piling them up, and setting them afire. All were as busy as though their salvation depended on disappointing the Yankees. Later Charles sent for us to come to the river and see him fire a flat-boat loaded with the precious material for which the Yankees are risking their bodies and souls. . . . The flat-boat was piled with as many bales as it could hold without sinking. Most of them were cut open, while negroes stove in the heads of barrels of alcohol, whiskey, etc. and dashed bucketsful over the cotton. . . . The cotton floated down the Mississippi one sheet of living flame, even in the sunlight. An incredible amount of property has been destroyed today, but no one begrudges it. . . .

[1] This refers to Farragut's exploit in running past the forts of Jackson and St. Philip below New Orleans, April 23, 1862 (see Muzzey, An American History, p. 446). The capture of the forts left New Orleans and the river above, as far as Port Hudson, open to Federal attack. Baton Rouge, the home of the Morgans, lay in this region, some eighty miles north of New Orleans.

May 9

Our lawful (?) owners have arrived at last. About sunset day before yesterday, the *Iroquois* anchored here and a graceful young Federal stepped ashore carrying a Yankee flag over his shoulder, and asked the way to the Mayor's office. I like the style! If we girls of Baton Rouge had been at the landing instead of the men, that Yankee would never have insulted us by flying his flag in our faces! *We* would have opposed his landing except under a flag of truce; but the men let him alone, and he even found a poor Dutchman willing to show him the road. . . . Last evening came the demand: the town must be surrendered immediately; the Federal flag must be raised; they would grant the same terms they granted New Orleans. Jolly terms those were! . . . This morning they are landing at the Garrison. . . . "All devices, signs, flags of the Confederacy shall be suppressed." So says Picayune Butler. *Good!* I devote all my red, white, and blue silk to the manufacture of Confederate flags. As soon as one is confiscated I make another, until my ribbon is exhausted, when I will sport a duster emblazoned in high colors: "Hurra! for the bonny blue flag!" Henceforth I wear one pinned to my bosom; the man who says take it off will have to pull it off for himself; the man who dares attempt it — well! a pistol in my pocket fills up the gap. I am capable too. . . .

May 17

Four days ago the Yankees left us, to attack Vicksburg, leaving their flag flying in the Garrison without a man to guard it, and with the understanding that the town would be held responsible for it. It was intended for a trap; and it succeeded. For night before last it was torn down and pulled to pieces. . . .

Now they will be back in a few days and will execute their threat of shelling the town. . . . They say the women and children must be removed, these guerillas. Where, please? Charlie says we must go up to Greenwell. And have the house pillaged? For Butler has decreed that no unoccupied house shall be respected.

May 27

The cry is "Ho! for Greenwell." We are hourly expecting two regiments of Yankees to occupy the Garrison, and some 1500 of our men are awaiting them a little way off, so the fight seems inevitable. . . . O, my dear Home! How can I help but cry at leaving you forever? For if this fight occurs, never again shall I pass the threshold of this house where we have been so happy and so sad. . . .

May 30. Greenwell

After all our trials and tribulations, here we are at last, and no limbs lost! Wednesday the 28th — a day to be forever remembered — I was packing up my traveling desk when I heard Lilly's voice downstairs, crying as she ran in — she had been out shopping — "Mr. Castle has killed a Federal officer on a ship, and they are going to shell" — *Bang!* went a cannon at the word, and that was all our warning.

Mother had just come in and was lying down, but sprang to her feet and added her screams to the general confusion. . . . The firing continued; they must have fired a half a dozen times before we could coax mother off. . . . I heard Miriam plead, argue, insist, command her to run. . . . As we stood in the door, four or five shells sailed over our heads at the same time, seeming to make a perfect corkscrew of the air — for it sounded as though it went in circles. . . . I stayed to lock the door with this new music in my ears. We reached the back gate that was on the street when another shell passed us, and Miriam jumped behind the fence for protection. We had gone only half a square when Dr. Castleton begged us to take another street, as they were firing up that one. We took his advice, but found our new street worse than the old, for the shells seemed to whistle their strange songs with redoubled vigor. The height of my ambition was now attained. I had heard Jimmy laugh about the singular sensation produced by the rifle balls spinning around one's head; and here I heard the same peculiar sound, ran the same risk, and was equal to the rest of the boys; for was not I in the midst of flying shells, in the middle of a *bombardment?* I think I was rather proud of it. . . .

Three miles from the town we began to overtake the fugitives. Hundreds of women and children were walking along, some bareheaded and all in costumes. Little girls of twelve or fourteen were wandering on alone. I called to one I knew, and asked her where her mother was: she did n't know; she would walk on till she found out. . . . White and black were all mixed together, and were as confidential as though related.

It was a heart-rending scene. Women searching for their babies along the road where they had been lost; others sitting in the dust crying and wringing their hands; for by this time we had not an idea but what Baton Rouge was either in ashes or being plundered, and we had saved nothing. . . .

Clinton, Jan. 4, 1863

One just from Baton Rouge tells us that my presentiment about our house is verified: Yankees do inhabit it, a Yankee colonel and his wife. . . . And a stranger and a Yankee occupies our father's place at the table where he presided for thirty-one years. And the old lamp that lighted up so many eager, laughing faces around the dear old table night after night — the old lamp has passed into the hands of strangers who neither know nor care for its history.

The following account of Pickett's charge is from Lieutenant General James Longstreet, who was intrusted by General Lee with the command of the assaulting column on the third and last day of the great fight at Gettysburg.

The plan of assault was as follows: Our artillery was to be massed in a wood from which Pickett was to charge, and it was to pour a continuous fire on the cemetery. Under cover of this fire, and supported by it, Pickett was to charge. General E. P. Alexander . . . was given charge of the artillery. The arrangements were completed about one o'clock. General Alexander had arranged that a battery of seven 11-pound howitzers with fresh horses and full caissons, were to charge with Pickett at the head of his line, but General Pendleton, from whom the guns

had been borrowed, recalled them just before the charge was made, and thus deranged this wise plan.

Never was I so depressed as on that day. I felt that my men were to be sacrificed, and that I should have to order them to make a hopeless charge. I had instructed General Alexander, being unwilling to trust myself with the entire responsibility, to carefully observe the effect of the fire on the enemy, and when it began to tell to notify Pickett to begin the assault. I was so much impressed with the hopelessness of the charge that I wrote the following note to General Alexander: "If the artillery fire does not have the effect to drive off the enemy or greatly demoralize him, so as to make our efforts pretty certain, I would prefer that you should not advise General Pickett to make the charge. I shall rely a great deal on your judgment to determine the matter, and shall expect you to let Pickett know when the moment offers."

To my note the general replied as follows: "I will only be able to judge the effect of our fire upon the enemy by his return fire, for his infantry is but little exposed to view, and the smoke will obscure the whole field. If, as I infer from your note, there is an alternative to this attack, it should be carefully considered before opening our fire, for it will take all the artillery ammunition we have left to test this one thoroughly, and if the result is unfavorable, we will have none left for another effort, and even if this is entirely successful it can only be so at a very bloody cost."

I still desired to save my men, and felt that if the artillery did not produce the desired effect I would be justified in holding Pickett off. I wrote this note to Colonel Walton at exactly 1.30 P.M.: "Let the batteries open. Order great precision in firing. If the batteries at the peach-orchard cannot be used against the point we intend attacking, let them open on the enemy at Rocky Hill."

The cannonading which opened along both lines was grand. In a few moments a courier brought a note to General Pickett (who was standing near me) from Alexander, which, after reading, he handed to me. It was as follows: "If you are coming at all you must come at once, or I cannot give you

proper support; but the enemy's fire has not slackened at all; at least eighteen guns are still firing from the cemetery itself."

After I had read the note Pickett said to me, "General, shall I advance?" My feelings had so overcome me that I would not speak for fear of betraying my want of confidence to him. I bowed affirmation and turned to mount my horse. Pickett immediately said: "I shall lead my division forward, sir." I spurred my horse to the wood where Alexander was stationed with artillery. When I reached him he told me of the disappearance of the seven guns which were to have led the charge with Pickett, and that his ammunition was so low that he could not properly support the charge. I at once ordered him to stop Pickett until the ammunition had been replenished. He informed me that he had no ammunition with which to replenish. I then saw that there was no help for it, and that Pickett must advance under his orders.

He swept past our artillery in splendid style and the men marched steadily and compactly down the slope. As they started up the ridge over one hundred cannon from the breastworks of the Federals hurled a rain of cannister, grape, and shell down upon them. They still pressed on until half-way up the slope, when the crest of the hill was lit with a solid sheet of flame as the masses of infantry rose and fired. When the smoke cleared away Pickett's division was gone. Nearly two-thirds of his men lay dead on the field, and the survivors were sullenly retreating down the hill. Mortal man could not have stood that fire. In half an hour the contested field was cleared, and the battle of Gettysburg was over.

John S. Wise, the son of Brigadier General Governor Henry A. Wise of Virginia, was fourteen years old when the war broke out. By dint of much begging he got his father's consent to enter the Virginia Military Institute at Lexington ("the West Point of the Confederacy"), and in June, 1864, he joined his father's brigade at Petersburg. Thirty-five years later he wrote of his experiences with the defenders of Richmond.

Much of the month of July we passed in the trenches. Father was in command at Petersburg, and Colonel J. T. Goode commanded the brigade. . . . Our left was about a hundred yards south of a bastion known as Elliott's salient.

Life in the trenches was indescribably monotonous and uncomfortable. In time of sunshine the reflected heat from the new red-clay embankments was intense, and unrelieved by shade or breeze; and in wet weather one was ankle-deep in tough, clinging mud. The incessant shelling and picket-firing made extreme caution necessary in moving about; and each day, almost each hour, added to the list of casualties. The opposing lines were not over two hundred yards apart, and the distance between the rifle pits was about one hundred yards. Both sides had attained accurate marksmanship, which they practised with merciless activity in picking off men. . . .

The men resorted to many expedients to secure some degree of comfort and protection. They learned to burrow like conies. Into the sides of the trenches and transverses they went with bayonet and tin cups to secure shade and protection from rain. Soon, such was their proficiency that, at sultry midday or during a rainfall, one might look up or down the trenches without seeing anybody but the sentinel. At the sound of the drum, the heads of the soldiers would pop up and out of the earth, as if they had been prairie-dogs or gophers. Still many lives were lost by the indifference to danger which is begotten by living constantly in its presence. . . .

A man, because he had not been hit, would soon come to regard himself as invulnerable. The fact that his comrades had been killed or wounded appeared to make little impression upon him. Past immunity had made him so confident that he would walk coolly over the same exposed ground where somebody else had been shot the day before. The "spat," "whiz," "zip," of hostile bullets would not even make him quicken his pace. Mayhap he would take his short pipe out of his mouth and yell defiantly, "Ah-h—Yank—yer—kain't—shoot," and go on his way tempting fate, until a bullet struck him and he was dead or maimed for life. . . .

When our troops first manned the lines, the things most dreaded were the great mortar shells. They were particularly terrible at night. Their parabolas through the air were watched with intense apprehension, and their explosion seemed to threaten annihilation. Within a week they had ceased to occasion any other feeling among the men than a desire to secure their fragments. There was little chance of a shell's falling upon the men, for they could see it and get out of the way. Unless it did actually strike some one in its descent, the earth was so tunnelled and pitted that it was apt to fall into some depression, where its fragments would be stopped and rendered harmless by surrounding walls of dirt. Iron was becoming scarce. As inducement to collecting scrap-iron for our cannon foundries, furloughs were offered, a day for so many pounds collected. Thus, gathering fragments of shell became an active industry among the troops. So keen was their quest that sometimes they would start towards the point where a mortar-shell fell even before it exploded.

Such was life in the trenches before Petersburg. Looking back at it now, one wonders that everybody was not killed, or did not die from exposure. But, at the time, no man there personally expected to be killed, and there was something — nobody can define what it was — which made the experience by no means so horrible as it now seems. . . .

About day-break, July 30, the mine was exploded. . . . It consisted of a shaft 510 ft. long, with lateral galleries under our works 38 and 37 feet long respectively; in these, 320 kegs of powder, containing 25 pounds each — in all 8000 pounds — were placed, and preliminary to the explosion, 81 heavy guns and mortars and over 80 light guns of the Union army were brought to bear on the position to be mined and attacked. . . . The fuse of the mine was lighted about 3.30 A.M. The ragged remnant of the Confederate army still left before Petersburg enjoyed unusual repose that night, for the firing along the lines had almost ceased. A long delay ensued. After waiting for more than an hour for the explosion, two Union soldiers, at the risk of their lives, crawled into the gallery of the mine and found

the fuse had failed; they relit it and returned. . . . the Confederate infantrymen and cannoneers at the doomed salient slept on, as the fuse sparkled and sputtered inch by inch towards the four tons of gunpowder which were to rend with the violence of an earthquake the spot on which they were resting.

"There she goes!" exclaimed one of the watchers. The ground trembled for an instant; an immense mass of earth, cannon, timbers, human beings, and smoke shot skyward, paused for an instant in mid-air, illumined by the flash of the explosion; and, bursting asunder, fell back into and around the smoking pit. The dense cloud of smoke drifted off, tinged by the first faint rays of sun-rise; a silence like that of death succeeded the tremendous report. Nearly 300 Confederates were buried in the débris of the crater; their comrades on either side adjacent to the fatal spot fled from a sight so much resembling the day of judgment. . . . At least 300 yards of our lines were deserted by their defenders, and left at the mercy of the assaulting columns. Beyond that breach not a Confederate infantryman stood to dispute their passage into the heart of Petersburg. A prompt advance in force, a gallant dash, not into the crater, but around it and 300 yards beyond it, would have crowned the great explosion with a victory worthy of its grandeur. From the eminence where Blandford Church and cemetery stood, in the rear of the mine, Grant's forces might, within ten minutes after the mine was sprung, have looked backward upon the Confederates, stunned, paralyzed, and separated; and, looking forward, they might have seen the coveted city [Richmond] undefended and at their mercy.

The Triumph of the North

96. Change in the fortunes of the Confederacy, April–December, 1863

[452]

The difference in tone between the two following extracts from the messages of Jefferson Davis shows the effect of the Union victories of the summer and autumn of 1863 (Gettysburg, Vicksburg, Chattanooga) on the confidence of the South. The first extract is from an address "to the People of the Confederate States," on

April 10, 1863, urging them to comply with a resolution of the Confederate Congress that they should cease planting tobacco and cotton in anticipation of an early termination of the war, and devote their land to food crops. The second is from President Davis's message of December 7, 1863, to the Confederate Congress.

(*a*)

. . . We have reached the close of the second year of the war, and may point with just pride to the history of our young Confederacy. Alone, unaided, we have met and overthrown the most formidable combination of naval and military armaments that the lust of conquest ever gathered together for the subjugation of a free people. We began this struggle without a single gun afloat, while the resources of our enemy enabled them to gather fleets which, according to their official list published in August last, consisted of 427 vessels, measuring 340,036 tons, and carrying 3,268 guns. Yet we have captured, sunk, or destroyed a number of these vessels. . . . To oppose invading forces composed of levies which have already exceeded 1,300,000 men, we had no resources but the unconquerable valor of a people determined to be free, and we were so destitute of military supplies that tens of thousands of our citizens were reluctantly refused admission into the service from our inability to provide them with arms, while for many months some of our important strongholds owed their safety chiefly to a careful concealment of the fact that we were without a supply of powder for our cannon. Your devotion and patriotism have triumphed over all these obstacles and called into existence the munitions of war, the clothing, and the subsistence which have enabled our soldiers to illustrate their valor on numerous battlefields, and to inflict crushing defeats on successive armies, each of which an arrogant foe fondly believed to be invincible.

The contrast between our past and present condition is well calculated to inspire full confidence in the triumph of our arms. At no previous period of the war have our forces been so numerous, so well-organized, so thoroughly disciplined, armed,

and equipped as at present. The season of high water, on which our enemies relied to enable their fleets of gunboats to penetrate into our country and devastate our homes, is fast passing away; yet our strongholds on the Mississippi still bid defiance to the foe,[1] and months of costly preparations for their reduction have been spent in vain. Disaster has been the result of their every effort to turn or to storm Vicksburg and Port Hudson. . . . Within a few weeks the falling waters and the increasing heat of summer will complete their discomfiture and compel their baffled and defeated forces to the abandonment of expeditions on which was based their chief hope of success in effecting our subjugation. We must not forget, however, that the war is not yet ended, and that we are still confronted by powerful armies and threatened by numerous fleets; and that the Government which controls these fleets and armies is driven to the most desperate efforts to effect the unholy purposes in which it has been thus far defeated. It will use its utmost energy to arrest the impending doom, so fully merited by the atrocities it has committed, the savage barbarities which it has encouraged, and the crowning infamy of its attempt to excite a servile population to the massacre of our wives, our daughters, and our helpless children. . . .

Your country, therefore, appeals to you to lay aside all thought of gain, and to devote yourselves to securing your liberties, without which those gains would be valueless. . . .

Let us all unite in the performance of our duty, each in his sphere, and with concerted, persistent, and well-directed effort there seems little reason to doubt that . . . we shall maintain the sovereignty and independence of these Confederate States, and transmit to our posterity the heritage bequeathed to us by our fathers.

Jefferson Davis

Executive Office, Richmond
April 10, 1863.

[1] President Davis refers to the two strongholds of Vicksburg and Port Hudson on the Mississippi that were left to the Confederates after Grant and Foote from the North and Farragut from the South had won back all but about one hundred and twenty-five miles of the river for the Union.

(*b*)

Richmond Va. Dec. 7, 1863

To the Senate and House of Representatives of the Confederate States:

The necessity for legislative action arising out of the important events that have marked the interval since your adjournment, and my desire to have the aid of your counsel on other matters of grave public interest, render your presence at this time more than ordinarily welcome. . . .

Grave reverses befell our arms soon after your departure from Richmond. Early in June [July] our strongholds at Vicksburg and Port Hudson, together with their entire garrisons, capitulated to the combined land and naval forces of the enemy. The important interior position of Jackson next fell into their temporary possession. Our unsuccessful assault upon the post at Helena was followed at a later period by the invasion of Arkansas, and the retreat of our army from Little Rock gave to the enemy the control of the important valley in which it is situated.

The resolute spirit of the people soon rose superior to the temporary despondency naturally resulting from these reverses. The gallant troops, so ably commanded in the States beyond the Mississippi, inflicted repeated defeats on the invading armies in Louisiana and on the coast of Texas. Detachments of troops and active bodies of partisans kept up so effective a war on the Mississippi River as practically to destroy its value as an avenue of commerce. . . .

The able commander [Lee] who conducted the campaign in Virginia determined to meet the threatened advance on Richmond, for which the enemy had made long and costly preparations, by forcing their armies to cross the Potomac and fight in defence of their own capital and homes. Transferring the battlefield to their own soil, he succeeded in compelling their rapid retreat from Virginia, and in the hard-fought battle of Gettysburg inflicted such severity of punishment as disabled them from an early renewal of the campaign as originally projected.[1]

[1] The disappointment of Lincoln and the war office in Washington over Meade's failure to follow up his defeat of Lee at Gettysburg was

Unfortunately the communications on which our general relied for receiving his supplies of munitions were so interrupted by extraordinary floods, which so swelled the Potomac as to render impassable the fords by which his advance had been made, and he was thus forced to a withdrawal, which was conducted with deliberation after securing large trains of captured supplies, and with constant and unaccepted tender of battle. . . .

The hope last year entertained of an early termination of the war has not been realized. Could carnage have satisfied the appetite of our enemy for the destruction of human life, or grief have appeased their wanton desire to inflict human suffering, there has been bloodshed enough on both sides, and two lands have been sufficiently darkened by the weeds of mourning to induce a disposition for peace.

If unanimity in a people could dispel delusion, it has been displayed too unmistakably not to have silenced the pretense that the Southern States were merely disturbed by a factious insurrection, and it must have long since been admitted that they were but exercising their reserved right to modify their own Government in such manner as would best secure their own happiness. But these considerations have been powerless to allay the unchristian hate of those who, long accustomed to draw large profits from a union with us, cannot control the rage excited by the conviction that they have by their own folly destroyed the richest sources of their prosperity. They refuse even to listen to proposals for the only peace possible between us — a peace which, recognizing the impassable gulf which divides us, may leave the two peoples separately to recover from injuries inflicted

intense. On reading Meade's remark after the victory, of "driving the invader from our soil," Lincoln said with impatience: "Will our generals never get that idea out of their heads? The whole country is our soil." — Nicolay and Hay, Abraham Lincoln, Vol. VII, pp. 278–281. On July 14 Lincoln wrote to Meade (but never signed or sent the letter): "I do not believe you appreciate the magnitude of the misfortune involved in Lee's escape. He was within your easy grasp, and to have closed upon him would, in connection with our other late successes, have ended the war. As it is the war will be prolonged indefinitely. . . . Your golden opportunity is gone, and I am distressed immeasurably because of it."

on both by the causeless war now waged against us. Having begun the war in direct violation of their Constitution, which forbade the attempt to coerce a State, they have been hardened by crime until they no longer attempt to veil their purpose to destroy the institutions and subvert the sovereignty and independence of these States. We now know that the only reliable hope for peace is in the vigor of our resistance, while the cessation of their hostility is only to be expected from the pressure of their necessities.

The patriotism of the people has proved equal to every sacrifice demanded by their country's need. We have been united as a people never were united under like circumstances before. God has blessed us with success disproportionate to our means, and under his divine favor our labors must at last be crowned with the reward due to men who have given all they possessed to the righteous defense of their inalienable rights, their homes, and their altars.

Jefferson Davis

97. A Confederate embassy, February 3, 1865 [464]

On three occasions a trio of "ambassadors" from the South sought to treat with the United States government at Washington. First, immediately after the secession ordinance, in December, 1860, the "sovereign state" of South Carolina sent three gentlemen (Barnwell, Adams, and Orr) to President Buchanan to negotiate for the delivery of the forts and other real estate held by the Federal government in South Carolina. Second, in March, 1861, soon after the formation of the Confederate government at Montgomery, President Davis, according to Article VI of the provisional Constitution, appointed a commission (Roman of Louisiana, Crawford of Georgia, Forsythe of Alabama) "to negotiate friendly relations and to settle all questions of disagreement between the Confederate States and their late confederates of the United States in relation to public property and the public debt." Neither of the embassies succeeded in obtaining recognition from the

authorities in Washington. Toward the end of the war, on the assurance of a favorable reception from President Lincoln, a third commission was appointed by President Davis, consisting of Vice President Stephens, Judge Campbell, and Senator Hunter, to discuss the possibilities of peace. Stephens tells the story of their embassy as follows:

The interview took place in the Saloon of the steamer on board of which were Mr. Lincoln and Mr. Seward, and which lay at anchor near Fortress Monroe. The Commissioners were conducted into the Saloon first. Soon after, Mr. Lincoln and Mr. Seward entered. After usual salutations on the part of those who were previously acquainted, and introductions of the others who had never met before, conversation was immediately opened by the revival of reminiscences and associations of former days.

This was commenced by myself addressing Mr. Lincoln, and alluding to some of the incidents of our Congressional acquaintance — especially the part we had acted together in effecting the election of General Taylor in 1848. To my remarks he responded in a cheerful and cordial manner, as if the remembrance of those times, and our connection with the incidents referred to, had awakened in him an agreeable train of reflections. . . . With this introduction I said in substance: "Well, Mr. President, is there no way of putting an end to the present trouble, and bringing about a restoration of the general good feeling and harmony *then* existing between the different States and Sections of the country? . . ."

Mr. Lincoln in reply said in substance that there was but one way that he knew of, and that was, for those who were resisting the laws of the Union to cease that resistance. All the trouble came from an armed resistance against the National Authority.

"But," said I, "is there no other question that might divert the attention of both Parties for a time from the questions involved in their present strife, until the passions on both sides might cool. . . . I allude, of course to Mexico, and what is called the

Monroe Doctrine — the principles of which are directly involved in the contest now waging there." [1]

Mr. Lincoln replied with considerable earnestness, that he could entertain no proposition for ceasing active military operations, which was not based upon a pledge first given, for the ultimate restoration of the Union. . . . These pointed and emphatic responses seemed to put an end to the Conference on the subject contemplated in our Mission, as we had no authority to give any such pledge, even if we had been inclined to do so, nor was it expected that any such would really be required to be given.[2] . . .

Judge Campbell then inquired in what way the settlement for a restoration of the Union was to be made. Supposing the Confederate States should consent to the general terms as stated by Mr. Lincoln, how would the re-establishment of the National Authority take place? . . .

Mr. Lincoln replied: "By disbanding their armies and permitting the National Authorities to resume their functions."

Mr. Seward interposed and said, that Mr. Lincoln could not express himself more clearly or forcibly in reference to this question, than he had done in his message to Congress in December before, and referred specially to . . . these words: "In stating a single condition of peace, I mean simply to say that war will cease on the part of the government whenever it shall have ceased on the part of those who began it." [3] . . .

[1] On Emperor Napoleon III's attempt to establish a French empire in Mexico during our Civil War see Muzzey, An American History, p. 497. Francis P. Blair, Senior, had visited his personal friend, President Davis, in Richmond, shortly before the Hampton Roads Conference, and made this suggestion of utilizing the Mexican situation to sink the hostility between North and South. President Lincoln, however, had explicitly refused to authorize such a suggestion.

[2] In his instruction to the commissioners Davis spoke of "securing peace to the *two* countries," while Lincoln insisted on dealing with "our common country." "Had not the desire of the commissioners been so strong as to induce them to strain their instructions . . . and had not Lincoln waived form for substance, Davis' quibble about words would have prevented the meeting." — Rhodes, History of the United States, 1850–1877, Vol. V, p. 68.

[3] See Richardson, Messages and Papers of the Presidents, Vol. VI, pp. 254–255.

I asked Mr. Lincoln what would be the *status* of that portion of the Slave population in the Confederate States which had not then become free under his Proclamation. . . . Mr. Lincoln said that was a judicial question. How the courts would decide it he did not know, and could give no answer. His own opinion was, that as the Proclamation was a *war measure*, and would have effect only from its being an exercise of the war power, as soon as the war ceased it would be inoperative for the future. It would be held to apply only to such slaves as had come under its operation while it was in active exercise. This was his individual opinion, but the courts might decide the other way, and hold that it effectually emancipated all the Slaves in the States to which it applied at the time. So far as he was concerned, he should leave it to the courts to decide. He never would change or modify the terms of the Proclamation in the slightest particular. . . .

Mr. Seward said that there were only about 200,000 slaves who, up to that time, had come under the actual operation of the Proclamation, and who were then in the enjoyment of their freedom under it. . . . Mr. Seward also said that it might be proper to state to us that Congress, a day or two before, had proposed a Constitutional Amendment [the XIIIth] for the immediate abolition of Slavery throughout the United States, which he produced and read to us from a newspaper. He said this was done as a *war measure*. If the war were then to cease it would probably not be adopted by a number of States sufficient to make it part of the Constitution. . . . The whole number of States being thirty-six, any ten of them could defeat the proposed amendment.

I inquired how this matter could be adjusted, without some understanding as to what position the Confederate States would occupy towards the others, if they were then to abandon the war. Would they be admitted to representation in Congress?

Mr. Lincoln very promptly replied, that his own individual opinion was, that they ought to be. He also thought they would be; but he could not enter into any stipulation on the subject. His own opinion was, that when the resistance ceased, and the National Authority was recognized, the States would be

immediately restored to their practical relations to the Union . . . he persisted in asserting that he could not enter into any agreement upon this subject, or upon any other matters of that sort, with parties in arms against the Government.

Mr. Hunter interposed, and in illustration of the propriety of the Executive entering into agreements with persons in arms against the acknowledged rightful public authority, referred to repeated instances of this character between Charles I of England and the people in arms against him.

Mr. Lincoln in reply to this said: "I do not profess to be posted in history. On all such matters I will turn you over to Seward. All I distinctly recollect about the case of Charles I, is, that he lost his head in the end. . . ."

After pausing for some time, his head rather bent down, as if in deep reflection, while all were silent, he rose up and used these words, almost, if not quite, identical:

"Stephens, if I were in Georgia, and entertained the sentiments I do — though I suppose I should not be permitted to stay there long with them; but if I resided in Georgia, with my present sentiments, I 'll tell you what I would do, if I were in your place: I would go home and get the Governor of the State to call the Legislature together, and get them to recall all the State troops from the war; elect Senators and Members to Congress, and ratify this Constitutional Amendment *prospectively*, so as to take effect — say in five years. Such a ratification would be valid in my opinion. . . . Whatever may have been the views of your people before the war, they must be convinced now that Slavery is doomed. It cannot last long in any event, and the best course, it seems to me, for your public men to pursue, would be to adopt such a policy as will avoid, as far as possible, the evils of immediate emancipation. This would be my course, if I were in your place. . . ."

Mr. Lincoln said that so far as the Confiscation Acts, and other penal acts, were concerned, their enforcement was left entirely with him, and on that point he was perfectly willing to be full and explicit, and on his assurance perfect reliance might be placed. He should exercise the power of the Executive with the utmost liberality. He went on to say that he would be

willing to be taxed to remunerate the Southern people for their slaves. He believed the people of the North were as responsible for slavery as the people of the South, and if the war should then cease, with the voluntary abolition of Slavery by the States, he should be in favor, individually, of the Government paying a fair indemnity for the loss to the owners. He said he believed this feeling had an extensive existence at the North. He knew some who were in favor of an appropriation as high as $400,000,000 for this purpose. . . .

Mr. Seward said that the Northern people were weary of the war. They desired peace and a restoration of harmony, and he believed they would be willing to pay as an indemnity for the slaves, what would be required to continue the war, but stated no amount. . . .

I then said: "I wish, Mr. President, you would re-consider the subject of an Armistice on the basis which has been suggested. Great questions, as well as vast interests, are involved in it. If upon so doing, you shall change your mind, you can make it known through the Military."

"Well," said he, as he was taking my hand for a farewell leave, and with a peculiar manner very characteristic of him: "Well, Stephens, I will re-consider it, but I do not think my mind will change, but I will re-consider."

The two parties then took formal and friendly leave of each other, Mr. Lincoln and Mr. Seward withdrawing first from the Saloon together. Col. Babcock, our escort, soon came in to conduct us back to the steamer on which we came.

98. The surrender at Appomattox, April 9, 1865 [464]

In his report to Secretary of War Stanton, dated at Washington, July 22, 1865, General Grant included the following correspondence between himself and General Lee regarding the surrender of the army of Virginia. After the fall of Petersburg had made the surrender of Richmond inevitable, Lee, rejecting the advice of some of his officers to take to the mountains in western Virginia and wage guerrilla warfare, was surrounded by the Union cavalry at Appomattox. His correspondence with Grant follows:

GRANT TO LEE

April 7, 1865

GENERAL: —

The result of the last week must convince you of the hopelessness of further resistance on the part of the Army of Northern Virginia in this struggle. I feel that it is so, and regard it as my duty to shift from myself the responsibility of any further effusion of blood, by asking of you the surrender of that portion of the Confederate States army known as the Army of Northern Virginia.

U. S. Grant, Lieutenant-General

LEE TO GRANT

April 7, 1865

GENERAL: —

I have received your note of this date. Though not entertaining the opinion you express on the hopelessness of further resistance on the part of the Army of Northern Virginia, I reciprocate your desire to avoid useless effusion of blood, and therefore, before considering your proposition, ask the terms you will offer on condition of its surrender.

R. E. Lee, General

GRANT TO LEE

April 8, 1865

GENERAL: —

Your note of last evening, in reply to mine of same date, asking conditions on which I will accept the surrender of the Army of Northern Virginia, is just received. In reply, I would say that *peace* being my great desire, there is but one condition I would insist upon — namely, That the men and officers surrendered shall be disqualified for taking up arms again against the Government of the United States until properly exchanged. I will meet you, or will designate officers to meet any officers you may name for the same purpose, at any point agreeable to you, for the purpose of arranging definitely the terms upon which the surrender of the Army of Northern Virginia will be received.

U. S. Grant, Lieutenant-General

Lee still hesitated. But when Sheridan on the evening of April 8 captured twenty-five Confederate field guns at Appomattox Station and seized four trainloads of supplies for the Confederate army, and on the next morning General Ord reached Appomattox and threw his army corps against the Confederates, who were desperately attempting to fight their way out of the cordon of Union cavalry, Lee sent the white flag, and asked for the interview to arrange terms of surrender. Grant describes the scene in his "Memoirs."

When I had left camp that morning [April 9] I had not expected so soon the result that was then taking place, and consequently was in rough garb. I was without a sword, as I usually was when on horseback on the field, and wore a soldier's blouse for a coat, with the shoulder straps of my rank to indicate to the army who I was. When I went into the house I found General Lee. We greeted each other, and after shaking hands took our seats. I had my staff with me, a good portion of whom were in the room during the whole of the interview.

What General Lee's feelings were I do not know. As he was a man of much dignity, with an impassible face, it was impossible to say whether he felt inwardly glad that the end had finally come, or felt sad over the result and was too manly to show it. . . . I felt like anything rather than rejoicing at the downfall of a foe who had fought so long and valiantly, and had suffered so much for a cause, though that cause was, I believe, one of the worst for which a people ever fought, and one for which there was the least excuse. I do not question, however, the sincerity of the great mass of those who were opposed to us.

General Lee was dressed in a full uniform which was entirely new, and was wearing a sword of considerable value, very likely the sword which had been presented by the State of Virginia. . . .

We soon fell into a conversation about old army times [in the Mexican War]. He remarked that he remembered me very well in the old army. . . . Our conversation grew so pleasant that I

almost forgot the object of our meeting . . . when General Lee again interrupted the course of the conversation by suggesting that the terms I proposed to give his army ought to be written out. I called to General Parker, Secretary on my staff, for writing materials, and commenced writing out the following terms:

Appomattox C. H., Va.
Ap'l 9th 1865

Gen. R. E. Lee,
Comd'g C.S.A.

GEN: In accordance with the substance of my letter to you of the 8th inst., I propose to receive the surrender of the Army of N. Va. on the following terms, to wit: Rolls of all the officers and men to be made in duplicate. One copy to be given to an officer designated by me, the other to be retained by such officer or officers as you may designate. The officers to give their individual paroles not to take up arms against the Government of the United States until properly exchanged, and each company or regimental commander sign a like parole for the men of their commands. The arms, artillery and public property to be parked and stacked, and turned over to the officer appointed by me to receive them. This will not embrace the side-arms of the officers, nor their private horses or baggage. This done, each officer and man will be allowed to return to their homes, not to be disturbed by United States authority so long as they observe their paroles and the laws in force where they may reside.

Very respectfully
U. S. Grant
Lt. Gen.

. . . I then said to him that I thought this would be about the last battle of the war — I sincerely hoped so; and I said further I took it that most of the men in the ranks were small farmers. The whole country had been so raided by the two armies that it was doubtful whether they would be able to put in a crop to carry themselves and their families through the next winter without the aid of the horses they were then riding. The United States did not want them, and I would therefore instruct the officers I left behind to receive the paroles of his troops to let every man of the Confederate army who claimed to own a horse or mule take the animal to his home. Lee remarked again that this would have a happy effect. He then sat down and wrote out the following letter:

Headquarters Army of Northern Virginia
April 9, 1865

GENERAL: —

I received your letter of this date containing the terms of the surrender of the Army of Northern Virginia as proposed by you. As they are substantially the same as those expressed in your letter of the 8th inst., they are accepted. I will proceed to designate the proper officers to carry the stipulations into effect.

R. E. Lee, General

While duplicates of the two letters were being made, the Union Generals present were severally presented to General Lee.

The much talked of surrendering of Lee's sword and my handing it back, this and much more that has been said about it is purest romance. . . .

General Lee, after all was completed, and before taking his leave, remarked that his army was in a very bad condition for want of food, and that they were without forage; that his men had been living for some days on parched corn exclusively, and that he would have to ask me for rations and forage. I told him "certainly," and asked for how many men he wanted rations. His answer was "about twenty-five thousand": and I authorized him to send his own commissary and quartermaster to Appomattox Station, two or three miles away, where he could have, out of the trains we had stopped, all the provisions wanted. . . .

When news of the surrender first reached our lines our men commenced firing a salute of a hundred guns in honor of the victory. I at once sent word, however, to have it stopped. The Confederates were now our prisoners, and we did not want to exult over their downfall. . . .

I suggested to General Lee that there was not a man in the Confederacy whose influence with the soldiery and the whole people was as great as his, and that if he would now advise the surrender of all the armies I had no doubt his advice would be followed with alacrity.[1] But Lee said, that he could not do that

[1] This testimony to Lee's influence is corroborated by John S. Wise of Virginia, a second lieutenant in the Confederate army at the close of the war: "Certain it is that the Confederacy contained no other man

without consulting the President first. I knew that there was no use urging him to do anything against his ideas of what was right.

When Lee and I separated he went back to his lines and I returned to the house of Mr. McLean. Here the officers of both armies came in great numbers, and seemed to enjoy the meeting as much as though they had been friends separated for a long time while fighting battles under the same flag.

99. Poetical tributes to Abraham Lincoln [467]

Walt Whitman, the American "poet of democracy," offered his services as voluntary nurse to the soldiers in the hospitals in Washington during the Civil War. The assassination of President Lincoln called forth no nobler tribute than the famous elegy from Whitman's pen:

O Captain! My Captain! our fearful trip is done,
The ship has weathered every rack, the prize we sought is won,
The port is near, the bells I hear, the people all exulting,
While follow eyes the steady keel, the vessel grim and daring;
But O heart! heart! heart!
O the bleeding drops of red,
Where on the deck my Captain lies,
Fallen cold and dead!

O Captain! my Captain! rise up and hear the bells;
Rise up — for you the flag is flung — for you the bugle trills,
For you bouquets and ribboned wreaths — for you the shores a-crowding,
For you they call, the swaying mass, their eager faces turning;

like Robert E. Lee. When he said that the career of the Confederacy was ended; that the hope of an independent government must be abandoned . . . and that the duty of the future was to abandon the dream of a confederacy and render a new and cheerful allegiance to a reunited government — his utterances were accepted as true as Holy Writ. No other human being on earth, no other earthly power, could have produced such acquiescence, or have compelled such prompt acceptance of that final and irreversible judgment." — J. S. Wise, The End of an Era, p. 344.

Here Captain! dear father!
This arm beneath your head!
It is some dream that on the deck,
You 've fallen cold and dead.

My Captain does not answer, his lips are pale and still,
My father does not feel my arm, he has no pulse nor will,
The ship is anchored safe and sound, its voyage closed and done,
From fearful trip the victor ship comes in with object won;
Exult O Shores, and ring O bells!
But I with mournful tread,
Walk the deck my Captain lies,
Fallen cold and dead.

The following verses by Tom Taylor appeared in the London *Punch* of May 6, 1865, accompanied by a cartoon of John Tenniel's, representing Britannia placing a wreath on Columbia's bier. The verses are especially significant because Lincoln had been unmercifully caricatured in *Punch*.

You lay a wreath on murdered Lincoln's bier,
You, who with mocking pencil wont to trace,
Broad for the self-complacent British sneer,
His length of shambling limb, his furrow'd face,

His gaunt, gnarl'd hands, his unkempt, bristling hair,
His garb uncouth, his bearing ill at ease,
His lack of all we prize as debonnair,
Of power or will to shine, or art to please;

You, whose smart pen back'd up the pencil's laugh,
Judging each step as though the way were plain;
Reckless, so could it point its paragraph,
Of chief's perplexity, or people's pain, —

Beside this corpse, that bears for winding-sheet
The Stars and Stripes he liv'd to rear anew,

Between the mourners at his head and feet,
Say, scurrile jester, is there room for *you*?

Yes: he had lived to shame me from my sneer,
To lame my pencil and confute my pen;
To make me own this hind of princes peer,
This rail-splitter a true-born king of men.

My shallow judgment I had learn'd to rue,
Noting how to occasion's height he rose;
How his quaint wit made home-truth seem more true;
How, iron-like, his temper grew by blows;

How humble, yet how hopeful he could be;
How in good fortune and in ill the same;
Nor bitter in success, nor boastful he,
Thirsty for gold, nor feverish for fame.

He went about his work — such work as few
Ever had laid on head and heart and hand —
As one who knows, where there 's a task to do,
Man's honest will must Heaven's good grace command.

. . . . . .

A felon hand, between the goal and him,
Reach'd from behind his back, a trigger press'd —
And those perplex'd and patient eyes were dim,
Those gaunt, long-laboring limbs were laid to rest.

The words of mercy were upon his lips,
Forgiveness in his heart and on his pen,
When this vile murderer brought swift eclipse
To thoughts of peace on earth, good will to men.

The Old World and the New, from sea to sea,
Utter one voice of sympathy and shame.
Sore heart, so stopped when it at last beat high!
Sad life, cut short just as its triumph came!

In his beautiful ode recited at the meeting at Harvard College, July 21, 1865, in commemoration of the Harvard men who fell in the war, James Russell Lowell has these lines on Lincoln:

To front a lie in arms and not to yield,
This shows, methinks, God's plan
And measure of a stalwart man,
Limbed like the old heroic breeds,
Who stands self-poised on manhood's solid earth,
Not forced to frame excuses for his birth,
Fed from within with all the strength he needs.

Such was he, our Martyr-Chief,
Whom late the Nation he had led,
With ashes on her head,
Wept with the passion of an angry grief:
Forgive me, if from present things I turn
To speak what in my heart will beat and burn,
And hang my wreath on his world-honored urn.
Nature, they say, doth dote,
And cannot make a man
Save on some worn-out plan
Repeating us by rote:
For him her Old-World moulds aside she threw,
And choosing sweet clay from the breast
Of the unexhausted West,
With stuff untainted shaped a hero new,
Wise, steadfast in the strength of God, and true.

. . . . . .

His was no lonely mountain-peak of mind,
Thrusting to thin air o'er our cloudy bars,
A sea-mark now, now lost in vapors blind;
Broad prairie rather, genial, level-lined,
Fruitful and friendly for all human kind,
Yet also nigh to heaven and loved of loftiest stars.

. . . . . .

He knew to bide his time,
And can his fame abide,
Still patient in his simple faith sublime,
Till the wise years decide.
Great captains, with their guns and drums,
Disturb our judgment for the hour,
But at last silence comes;
These all are gone, and, standing like a tower,
Our children shall behold his fame,
The kindly-earnest, brave, fore-seeing man,
Sagacious, patient, dreading praise, not blame,
New birth of our new soil, the first American.

Our final selection is the tribute paid by Edwin Markham in his lines entitled "Lincoln":

When the Norn-Mother saw the Whirlwind Hour,
Greatening and darkening as it hurried on,
She bent the strenuous heavens and came down
To make a man to meet the mortal need.
She took the tried clay of the common road —
Clay warm yet with the genial heat of Earth,
Dashed through it all a strain of prophecy;
Then mixed a laughter with the serious stuff.
It was a stuff to wear for centuries,
A man that matched the mountains, and compelled
The stars to look our way and honor us.
The color of the ground was in him, the red earth;
The tang and odor of the primal things —
The rectitude and patience of the rocks;
The gladness of the wind that shakes the corn;
The courage of the bird that dares the sea;
The justice of the rain that loves all leaves;
The pity of the snow that hides all scars;
The loving-kindness of the wayside well;
The tolerance and equity of light
That gives as freely to the shrinking weed
As to the great oak flowing to the wind —

To the graves' low hill as to the Matterhorn
That shoulders out the sky. And so he came
From prairie cabin up to Capitol,
One fair Ideal led our chieftain on.
Forevermore he burned to do his deed
With the fine stroke and gesture of a king.
He built the rail-pile as he built the State,
Pouring his splendid strength through every blow,
The conscience of him testing every stroke
To make his deed the measure of a man.

So came the Captain with the mighty heart;
And when the step of Earthquake shook the house
Wrenching the rafters from their ancient hold
He held the ridgepole up, and spiked again
The rafters of the Home. He held his place —
Held the long purpose like a growing tree —
Held on through blame and faltered not at praise.
And when he fell in whirlwind, he went down
As when a kingly cedar green with boughs
Goes down with a great shout upon the hills,
And leaves a lonesome place against the sky.

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CHAPTER XVII

THE ERA OF RECONSTRUCTION

How the North used its Victory

100. A Southerner's advice to President Johnson on reconstruction, June 14, 1865

[477]

Among the Johnson papers in the Library of Congress at Washington is the following letter of General Howell Cobb of Georgia, Secretary of the Treasury under Buchanan, written at the request of Major General J. H. Wilson of the Union army in Georgia, to be submitted to President Johnson:

Macon, 14 June, 1865

Brevet Maj. Genl. J. H. Wilson
Com'ding &c.
Macon, Ga.

General

In compliance with my promise I submit to you in writing the views and suggestions which I had the honor of presenting in our interview on yesterday. It is due to candor to say that I was a secessionist, and counseled the people of Georgia to secede.[1] When the adoption of that policy resulted in war, I felt it my duty to share in the privations of the struggle, and accordingly at the commencement of the contest, I entered the army, and declining all civil employments, remained there to its close.

I was an ardent supporter of the cause throughout the struggle. Upon the surrender of General Johnston, I regarded the contest at an end, and have since that time conformed my actions to that conviction. . . .

The contest has ended in the subjugation of the South. The parties stand toward each other in the relative position of conqueror and conquered; and the question for statesmen to decide,

[1] See No. 91, p. 394, for Cobb's advice to the people of Georgia.

is, the policy and duty of the respective parties. With regard to the latter [the conquered South] the course is plainly marked out. . . . A return to the peaceful and quiet employments of life; obedience to the constitution and laws of the United States; and the faithful discharge of all the duties and obligations imposed upon them by the new state of things, constitute their plain and simple duty.[1]

In the adoption of the policy, which the Government will pursue towards the people of the South, there are two matters which present themselves for primary and paramount consideration, 1st the present condition of things in the South. 2nd the state of things it is desirable to produce, and the best mode of doing it. . . .

The whole country [South] has been more or less devastated. Their physical condition in the loss of property, and the deprivation of the comforts of life . . . is as bad as their worst enemy could desire. . . . The abolition of slavery not only

[1] That the men of the South were sincerely ready to fulfill that duty we have ample testimony. General Grant, who was sent South on a tour of inspection by Johnson, reported in December, 1865: "I am satisfied that the mass of thinking men of the South accept the present situation of affairs in good faith. The question which has hitherto divided the sentiment of the two sections — Slavery and State rights, or the right of a State to secede from the Union — they regard as having been settled forever by the highest tribunal [arms] that man can resort to. . . . My observations lead me to the conclusion that the citizens of the southern States are anxious to return to self-government, within the Union, as soon as possible. . . . It is to be regretted that there cannot be a greater commingling, at this time, between the citizens of the two sections, and particularly of those entrusted with the law-making power" (Senate Executive Documents, 39th Congress, 1st session, No. 2, p. 107). General Lee wrote to a friend, September 7, 1865: "Like yourself, I have, since the cessation of hostilities, advised all with whom I have conversed on the subject, who come within the terms of the president's proclamations [of amnesty, May 29, 1865] to take the oath of allegiance, and accept in good faith the amnesty offered. . . . The war being at an end, the Southern States having laid down their arms, and the questions at issue between them and the Northern States having been decided, I believe it to be the duty of every one to unite in the restoration of the country and the reëstablishment of peace and harmony" (W. L. Fleming, Documentary History of Reconstruction, Vol. I, p. 63).

deprives them of a large property, but revolutionizes the whole system of agricultural labor, and must necessarily retard the restoration of former prosperity. So completely has this institution been interwoven with the whole framework of society, that its abolition involves a revision, and modification of almost every page of the Statute books of the States where it has existed.[1] It is with a people, thus depressed in mind, seriously injured in estate, and surrounded by embarrassing questions of the greatest magnitude, that the Government has to deal . . .

The avowed object of the Government was to restore the Union.[2] The successful termination of the war has effected that result, so far as further resistance on the part of the South is concerned. The people of the South, being prepared to conform to that result, all else for the restoration of the Union is in the hands of the Government.

Looking to the future interests, not only of the Southern people, but of the whole country, it is desirable that the bitter animosities . . . should be softened as much as possible; and a devastated country restored . . . to comparative prosperity. To effect these results requires the exercise of virtues, which the history of the World shows, are not often, if ever found, in the hearts of the conquerors, magnanimity and generosity. The World is sadly in need of such an example. Let the United States furnish it. There never was a more fitting opportunity. It will never be followed by more satisfactory results. . . .

[1] The laws passed to adjust the framework of society in the South to the new conditions occasioned by the liberation of 4,000,000 slaves were called the "black laws" or the "black codes" (see Muzzey, An American History, pp. 480–481). They were used by the radicals of the North in the campaign of 1866 against President Johnson's policy of granting "home rule" to the Southern states. They never went into force, for the Freedman's Bureau at first suspended them, and then the "carpetbag governments" established by the Reconstruction Act (see No. 101, p. 455) repealed them. Since the fall of the Reconstruction Governments, however, the black codes have been virtually reënacted in all the Southern States — prohibition of intermarriage, distinct white and colored schools, "Jim Crow" cars, etc. A number of interesting examples of the black codes may be found in W. L. Fleming's Documentary History of Reconstruction, Vol. I, pp. 273–312.

[2] See the Resolution of Congress of July 22, 1861, No. 93 (*d*), p. 412.

I leave it for those who would counsel a different policy, to foreshadow the effects of a contrary course. They may be able to see, how more blood, and more suffering will sooner restore kindlier feelings. I cannot. In the sufferings already endured, and the privations of the present, there appears to me an ample atonement, to satisfy the demands of those who would punish the South for the past. For the security of the future no such policy is required.

Giving to these general principles the form of practical recommendations, I would say that all prosecutions and penalties should cease against those who stand charged alone with the offence of being parties to, and supporters of the Southern cause. . . . If I could make my voice heard in the councils of the Government, I would seek to restore concord and good feeling by extending it to those, from whom I asked it in return. . . . No man will doubt that the man who is received back into the Union, and feels that he has been subjected to no severe penalty, and been required to submit to no humiliating test, will make a truer and better citizen, than the one who feels that his citizenship has been obtained by submitting to harsh and degrading terms, which he was compelled to yield to, to secure the rights he has acquired. . . .

By the abolition of slavery . . . a state of things has been produced, well calculated to excite the most serious apprehensions with the people of the South. I regard the result as unfortunate both for the white and black. The institution of slavery, in my judgment provided the best system of labor that could be devised for the negro race. . . . You will find that our people are fully prepared to conform to the new state of things [emancipation]; and will be disposed to pursue towards the negroes, a course dictated by humanity and kindness. I take it for granted, that the future relations, between the negroes and their former owners, like all other questions of domestic policy, will be under the control and direction of the State Governments.[1] . . .

[1] In expecting to be allowed to solve their questions of "domestic policy" after the war the Southerners were not asking an unreasonable favor, according to the views of Abraham Lincoln. In his last cabinet

I am fully conscious of the fact, that what I have said, is subject to the criticism of proceeding from an interested party. This is true. I am interested, deeply interested in the question, not so much for myself, for I have no future, but for my family, my friends, my countrymen. . . . So is every man who feels an interest in the future not of the South only, but of the whole country.

The men prevailed who "counselled a different policy" from that of complete amnesty and home rule for the

101. The Reconstruction Act, March 2, 1867

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meeting Lincoln remarked: "We can't undertake to run State Governments in all these Southern States. Their people must do that, though I reckon that at first they may do it badly" (F. W. Seward, Life of Seward, Vol. III, p. 275). It was neither the Southern leaders nor Andrew Johnson, under their sinister influence, that inaugurated the idea of home rule for the South after the war — it was Abraham Lincoln. The radicals at the North were indignant that Johnson should take into his own hands the problem of Reconstruction, during the recess of Congress, by issuing an amnesty proclamation and allowing governments to set themselves up in the Southern states; and were exasperated that these measures of Johnson were winning for him the approbation of moderate men in both sections. "Is there no way to arrest the insane course of the President in reorganization," wrote Thaddeus Stevens to Sumner on the very day (June 14, 1865) that Cobb wrote his letter of advice to the President; "If something is not done, the President will be crowned king before Congress meets" (Works of Charles Sumner, ed. G. F. Hoar, Vol. IX, p. 543). And Benjamin Wade of Ohio wrote to Sumner (July 29): "The President is pursuing and resolved to pursue a course in regard to reconstruction that can result in nothing but consigning the great Union or Republican party, bound hand and foot to the tender mercies of the rebels we have so lately conquered in the field, and their copperhead allies of the North" (Works of Charles Sumner, Vol. IX, p. 480). Extreme radicals like Sumner, Wade, and Chase had made up their minds before the close of the war that the negro must be given the ballot in order to protect himself. Chase wrote to Lincoln, from Baltimore, April 11, 1865: "As to the rebel States, the easiest and safest way seems to me to be the enrollment of loyal citizens without regard to complexion. . . . This you know has long been my opinion. It is confirmed by observation more and more. . . . It will be hereafter counted equally a crime and a folly if the colored loyalists of the rebel States are left to the control of restored rebels . . ." (War of the Rebellion, Official Records, Series I, Vol. XLVII, Part III, pp. 427–428).

South advocated in General Cobb's letter. General Carl Schurz, President Johnson's special commissioner to the South to study political and social conditions there, reported (December, 1865): "Treason does, under existing circumstances, not appear odious in the South. The people are not impressed with any sense of its criminality. . . . There is as yet among the Southern people an utter lack of national feeling."[1] The committee of fifteen appointed by Congress (December, 1865), "to inquire into the condition of the States which formed the so-called Confederate States of America, and report whether they or any of them are entitled to be represented in either House of Congress," reported in June, 1866, that it would be "folly and madness" to permit "conquered enemies . . . at their own pleasure and on their own terms, to participate in making laws for their conquerors. . . . That before allowing such representation, adequate security for future peace and safety should be required; that this can be found only in such changes in the organic law as shall

[1] Senate Executive Documents, 39th Congress, 1st session, Vol. I, No. 2, p. 13. A good example of the defiant submission of the Southern leaders is found in a letter of the gallant General Wade Hampton of South Carolina to President Johnson (1866). "The South unequivocally accepts the situation in which she is placed. . . . She intends to abide by the laws of the land honestly . . . and to keep her word sacredly, and I assert that the North has no right to demand more of her. You have no right to ask or expect that she will at once profess unbounded love to that Union from which for four years she tried to escape at the cost of her best blood and all her treasure. Nor can you believe her to be so unutterably hypocritical, so base, as to declare that the flag of the Union has already usurped in her heart the place which has so long been sacred to the 'Southern Cross.' The men at the South who make such professions are renegades and traitors, and they will surely betray you if you trust them. But the brave men who fought to the last in a cause which they believed *and still believe* to have been a just one . . . will prove true to their obligations." — Quoted by W. L. Fleming: Documentary History of Reconstruction, Vol. I, p. 66.

determine the civil rights and privileges of all citizens in all parts of the republic, . . . shall fix a stigma upon treason, and protect the loyal people against future claims for the expenses incurred in support of rebellion and for manumitted slaves." [1] Relying on these reports and exasperated by President Johnson's coarse attacks on them in public speeches for their interference with his policy toward the South, the leaders of the thirty-ninth Congress took the matter of reconstruction wholly into their own hands and undid the entire work of the "Johnson governments" by the Reconstruction Act of March 2, 1867.

AN ACT TO PROVIDE FOR THE MORE EFFICIENT GOVERNMENT OF THE REBEL STATES

Whereas no legal State governments or adequate protection for life or property now exists in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States, until loyal republican State governments can be legally established: Therefore

Be it enacted. . . . That said rebel States shall be divided into military districts and made subject to the military authority of the United States as hereinafter prescribed, and for that purpose Virginia shall constitute the first district; North Carolina and South Carolina the second district; Georgia, Alabama, and Florida the third district; Mississippi and Arkansas the fourth district; and Louisiana and Texas the fifth district;

Sec. 2. . . . That it shall be the duty of the President to assign to the command of each of said districts an officer of the army, not below the rank of brigadier-general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned.

[1] House Reports, 39th Congress, 1st session, Vol. II, No. 30, pp. xx–xxi.

Sec. 3. . . . That it shall be the duty of each officer assigned as aforesaid, to protect all persons in their right of person and property; to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals; and to this end he may allow local civil tribunals to take jurisdiction of and to try offenders, or, when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose, and all interference under color of State authority with the exercise of military authority under this act, shall be null and void.

Sec. 4. . . . That all persons put under military arrest by virtue of this act shall be tried without unnecessary delay, and no cruel or unusual punishment shall be inflicted, and no sentence . . . affecting the life or liberty of any person shall be executed until it is approved by the officer in command of the district, and . . . no sentence of death under the provisions of this act shall be carried into effect without the approval of the President.

Sec. 5. . . . That when the people of any one of said rebel States shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said State, twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of such election, except such as may be disfranchised for participation in the rebellion, or for felony at common law, and when such Constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates, and when such constitutions shall be ratified by a majority of the persons voting on the question of ratification who are qualified as electors for delegates, and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same, and when said State, by a vote of its legislature elected under said constitution, shall have adapted the amendment to the Constitution of the United States, proposed by the thirty-ninth Congress, and known as article fourteen, and when said

article shall have become part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and senators and representatives shall be admitted therefrom on their taking the oath prescribed by law, and then and thereafter the preceding sections of this act shall be inoperative in said State: *Provided*, That no person excluded from the privilege of holding office by said proposed amendment to the Constitution of the United States,[1] shall be eligible to election as a member of the convention to frame a constitution for any of said rebel States, nor shall any such person rate for members of such convention. . . .

102. Ku-Klux testimony, 1871 [487]

Disqualified for office-holding by the Fourteenth Amendment, disfranchised and subjected to the rule of the negro by the Reconstruction Act, the whites of the South resorted to extra-legal methods for maintaining their supremacy. Secret societies under various names (Ku-Klux Klans, Knights of the White Camelia, Pale Faces, Councils of Safety, White Leagues, etc.) were founded in all the states of the South to thwart the execution of the Reconstruction Acts by terrorizing the negroes who had political ambitions, and harrying the scalawag and the carpetbagger out of Dixie. At the request of President Grant, Congress, on April 20, 1871, passed the "Ku-Klux Act," to enforce the provisions of the Fourteenth Amendment; and a joint committee, composed of fourteen representatives and seven senators, was appointed "to inquire into the condition of the late insurrectionary States, so far as regards the execution of the laws and the safety of the lives and property of the citizens of the United States" (see Amendment XIV, Sect. I). The report of the committee (February 19, 1872), with the testimony of witnesses

[1] The classes of persons disqualified are enumerated in Section 3 of the Fourteenth Amendment.

examined both in Washington and by a subcommittee in the South, fills thirteen closely printed volumes, published by the Government Printing Office. The following extracts are from the testimony of General John B. Gordon [1] and a negro, Scipio Eager, two of the one hundred and forty-eight witnesses from the state of Georgia.

Washington D.C. July 27, 1871

JOHN B. GORDON, sworn and examined.

. . . . . .

Question. The object we had in calling you as a witness was to get from you if possible a general view of the condition of the State of Georgia, to ascertain whether property and life are protected there, whether any crimes have been committed by disguised men. From your general knowledge of affairs in that State, we desire you to tell us whatever will enable the committee to understand fully the condition of affairs in Georgia. . . .

Answer. . . . I want to say very distinctly that our people have not entertained animosity and bitterness toward the troops; our feelings are directed toward these camp-followers and men who have come in our midst since the war — men without character and without intelligence, except a certain sort of shrewdness by which they have been enabled to impose themselves upon the negro and acquire gain, some of them very much gain, out of the pittances they have been able to get out of the negro one way and another. Some of them have gotten into office from counties where they never were but once or twice during the whole canvass. . . . I know of one or two members of the legislature who never resided at all in the counties from which they were sent, except a few days before the election. My own impression, from what I have seen in Georgia, is that the

[1] Gordon was candidate for Governor of Georgia in 1868. He had been a valuable officer in Lee's army, and was "in at the death" at Appomattox. It was his reply to Lee's messenger on the morning of April 9, 1865, "Tell General Lee that I have fought my corps to a frazzle," that determined the Southern commander to surrender. Quoted by J. F. Rhodes, History of the United States, Vol. V, p. 125.

negroes, left free from this influence, would have been exceedingly peaceable. The very kindliest relations exist between the old masters and their former servants. . . . Our people have no interest in driving these negroes out of the country. Their interest is directly the reverse. We want them there. We oppose their being carried away, even to Mississippi. . . .

I will state a fact which I think will be borne out by every honest man in Georgia — that the negro today, before a jury of Southern men in Georgia, has as fair a chance of justice as a white man, if not a better chance. I believe this as firmly as that I am sitting in this chair. . . .

Question. What do you know of any combinations in Georgia known as Ku-Klux, or by any other name, who have been violating law?

Answer. I do not know anything about any Ku-Klux organization, as the papers talk about it . . . but I do know that an organization did exist in Georgia at one time. I know that in 1868 . . . I was approached and asked to attach myself to a secret organization in Georgia. . . . The object of this organization was explained to me at the time; and I want to say that I approved of it most heartily. . . .

Question. Tell us all about what that organization was.

Answer. The organization was simply this — nothing more or nothing less: it was an organization, a brotherhood of property-holders, the peaceable, law-abiding citizens of the State, for self-protection. The instinct of self-protection, prompted that organization; the sense of insecurity and danger, particularly in those neighborhoods where the negro population largely predominated. . . . We were afraid to have a public organization; because we supposed that it would be construed at once, by the authorities at Washington, as an organization antagonistic to the Government of the United States. . . . This organization, I think, extended nearly all over the State. It was, I say, an organization purely for self-defence. It had no more politics in it than the organization of the Masons. . . . This society was purely a police organization, to keep the peace, to prevent disturbance in our State. . . .

Question. You had no riding about at nights?

Answer. None on earth. I have no doubt that such things have occurred in Georgia. It is notoriously stated . . . that disguised parties have committed outrages in Georgia. . . . There is not a good man in Georgia who does not deplore that thing as much as any radical deplores it. When I use the term "radical," I do not mean to reflect upon the Republican party generally; but in our State a republican is a very different sort of a man from a republican generally in the Northern States. In our State republicanism means nothing in the world but creating disturbance, riot, and animosity, and filching and plundering. This is what it means in our State — nothing else. . . . It strikes me as the very highest commentary upon the law-abiding spirit of the people of Georgia that such men as I could name — men in high position who have plundered our people by the million — still live and are countenanced upon the streets. . . .

I know that the general feeling at the North is that our people are hostile to the Government of the United States. Upon that point I wish to testify. . . . I know very well that if the programme which our people saw set on foot at Appomattox Court-House [see No. 98, p. 442] had been carried out — if our people had been met in the spirit which we believe existed there among the officers and soldiers, from General Grant down — we would have had no disturbance in the South. . . . Right or wrong, it is the impression of the southern mind — it is the conviction of my own mind, in which I am perfectly sincere and honest — that we have not been met in the proper spirit. We in Georgia do not believe that we have been allowed proper credit for our honesty of purpose. . . . To say to our people: "You are unworthy to vote; you cannot hold office; we are unwilling to trust you; you are not honest men; your former slaves are better fitted to administer the laws than you are;" this sort of dealing with us has emphatically alienated our people. The burning of Atlanta and all the devastation through Georgia never created a tithe of the animosity that has been created by this sort of treatment of our people. Not that we wanted offices; that is not the point at all, though our people feel that it is an outrage to say that the best men in our midst shall not hold office. . . . We feel a sense of wrong as honorable men. We

do not think we have done anything in the dark. . . . We had fought the contest out; we had been defeated; and we thought that ought to be the last of it. That was the way we felt at the South. By the course that has been pursued toward us since the surrender we have been disappointed, and the feeling of alienation among our people has in this way been increased more than by any other one fact. In addition to that, we in Georgia think that some of the most grievous outrages have been inflicted upon our people by the military authorities sustained by the Government.

Atlanta, Georgia, October, 27, 1871

SCIPIO EAGER (colored) sworn and examined:

Question. What is your age, where were you born, and where do you now live?

Answer. I am about twenty-four or twenty-five years old, as nigh as I can get at it; I do not know my age exactly. I was born in Hancock County and I live in Washington County when I am at home.

Q. Why did you leave?

A. Because the Ku-Klux were after me.

Q. Are the Ku-Klux in Washington County?

A. Yes, sir; there 's where my brother got killed.

Q. Did they do anything to you?

A. Yes sir, they whipped me so bad that I never laid down and rested for three weeks after they got through with me. . . .

Q. At what time did they go to your house; in the day-time or night-time?

A. It was in the night.

Q. How many of them were there?

A. About a hundred, as near as I can get at it. I heard some say who counted them that there were a hundred of them.

Q. How were they fixed up?

A. They had uniforms on.

Q. Describe the uniform as well as you can.

A. Some of them had white, some had black; they had all sorts of colors.[1]

[1] The costume of the Ku-Klux riders is described as follows: "A long gown with loose flowing sleeves, with a hood in which the apertures

Q. Did you know any of them?

A. Yes sir, I knew some of them . . . three or four [names follow].

Q. Tell us what they did when they came to your house; give us a history of the transaction.

A. They came and got me first and tied my hands behind me, and asked where was my other brother. . . . I said, "Gentlemen, what are you going to do with me?" He said, "Never mind, I will tell you what when I am through with you." They said we never voted right. Mr. Alfred Harrison tried his best to get us not to go to the election, but we would go to the election, and we voted. . . . They carried me off into the woods, about a mile from the house, while they killed my brother. I kept questioning them: "What are you going to do with me? I have not done anything at all." They said, "Never mind, we will tell you what we will do after we carry you off." They had killed a man last year over there. They carried me right through to his grave, and told me they were going to kill me. . . . They had their pistols at my face on both sides; they were all around me. I stopped talking and would not say anything. They all

for the eyes, nose and mouth are trimmed with some red material. . . . In some instances they have disguised their horses so that even they should not be recognized. . . . It is a large loose gown covering the whole person quite closely, buttoned close around and reaching from the head clear down to the floor, covering the feet and dragging on the ground. It is made of bleached linen, starched and ironed, and in the night, by moonlight, it glitters and rattles" (Statement of Joseph Holden of North Carolina, quoted by Fleming, Documentary History of Reconstruction, Vol. II, p. 364). "A trick of frequent perpetration in the country was for a horseman, spectral and ghostly looking, to stop before the cabin of some negro needing a wholesome impression and call for a bucket of water. If a dipper or gourd was brought, it was declined, and the bucket full of water demanded. As if consumed by raging thirst the horseman grasped it and pressed it to his lips. He held it there till every drop of the water was poured into a gum or oiled sack concealed beneath the Ku-Klux robe. Then the empty bucket was returned to the amazed negro with the remark: 'That's good. It's the first drink of water I've had since I was killed at Shiloh.' Then a few words of counsel as to future behavior made an impression not likely to be disregarded" (Lester and Wilson, The Ku-Klux Klan, pp. 98–99).

got into a huddle, just like a swarm of bees. . . . After they pulled their disguises off their faces, they came there and told me that I was to be whipped. I thought it was all right, and that it would be better to be whipped than to be killed like my brother. In my brother's back I counted some hundred and odd shots, bullets and buckshot holes. . . .

Q. Did they whip you over your clothes?

A. No, sir! . . . They took off every rag of clothes I had, and laid me down on the ground, and some stood on my head and some on my feet. I can't tell how many men whipped me at once. They went out and got great big long brushes, as big as these chair-posts, and they whipped them all into frassels. There are welts on me now. . . . I tried to run, and some threw rocks at me, and some said "Shoot him"; but they did not.

Q. Did they get after you again?

A. Yes, sir; in July. . . .

Q. What did they do?

A. They did n't catch me then. They came and searched my house. They had dogs to search around, but they did n't catch me.

Q. What kind of dogs?

A. What they call "nigger-hounds"; such as they had in the old slavery times; Dudley had the dogs.

Q. Do they keep such dogs in your county now?

A. Yes, sir; just on purpose for that business. . . .

Q. Are there many Ku-Klux up there?

A. O yes, sir; you could see a hundred and fifty any time before I came away from there. . . .

Q. Have any of those people been arrested or punished for killing your brother or whipping you?

A. No, sir; I have been here since July, and I have been around mighty near to every one of these offices, and I could not do anything. . . . Mr. Harrison, the man who killed my brother, he said it was no use to have anything done but to have him buried.

Q. What did you go to him for?

A. I did not know what to do. I was just like a rabbit when the dogs are after him; I had to do anything I could to try to save my life.

The Recovery of the Nation

103. The liberal Republican movement of 1872

[493]

Toward the end of Grant's first term a group of "progressive" Republicans, disgusted with the official corruption, the harsh measures applied to the South, the military autocracy, and the burdensome protective-tariff policy which characterized the administration at Washington, started "an independent movement that seemed to presage a new era in American politics."[1] The call to arms was sent out by a state convention, assembled at Jefferson City, Missouri, January 24, 1872:

Resolved, That we, the Liberal Republicans of Missouri, faithful now, as we were in the dark days of civil war, to the principles of true republicanism, by no act or word will endanger rightful sovereignty of the Union, emancipation,[2] equality of civil rights,[3] or enfranchisement.[4] To these established facts, now embedded in the Constitution, we claim the loyalty of all good citizens.

Resolved, That a true and lasting peace can come only from such proposed reconciliation as enfranchisement has wrought in this State,[5] nor can those governments be pure or just in which the tax-payers have no active part. We therefore demand, with equal suffrage for all, complete amnesty for all, that the intelligent and experienced of every State may be welcomed to active service for the common welfare.

[1] J. F. Rhodes, History of the United States, Vol. VI, p. 417.

[2] By the Thirteenth Amendment.

[3] By the Fourteenth Amendment, Sect. I.

[4] By the Fifteenth Amendment.

[5] Missouri, by a combination of liberal Republicans and Democrats, had just revised the harsh Constitution of 1865, which disfranchised "rebel sympathizers." "The State [Missouri] had not seceded, but tens of thousands of her people had joined the rebel ranks. To prevent them from sharing in the government while fighting to overthrow it, these allies of the Rebellion had by an amendment to the State Constitution been disqualified from exercising the right of citizenship." — James G. Blaine, Twenty Years of Congress, Vol. II, p. 517.

Resolved, That no form of taxation is just or wise which puts needless burdens upon the people. We demand a genuine reform of the tariff, so that those duties shall be removed, which in addition to the revenue yielded to the Treasury, involve increase in the price of domestic products, and a consequent tax for the benefit of favored interests.

Resolved, That the shameless abuse of government patronage for the control of conventions and elections, whether in the interests of an individual, a faction, or a party, with the consequent corruption and demoralization of political life, demands a thorough and genuine reform of public service. Those who would suppress investigation forget that they owe a higher duty to the country than to any party. . . .

Resolved, That local self-government with impartial suffrage, will guard the rights of all citizens more securely than any centralized authority. It is time to stop the growing encroachment of executive power, the use of coercion or bribery to ratify a treaty, the packing of a Supreme Court to relieve rich corporations, the seating of members of Congress not elected by the people, the resort to unconstitutional laws to cure Ku-Klux disorders.[1] . . . We demand for the individual the largest liberty consistent with public order, for the State, self-government, and for the nation, return to the methods of peace, and the constitutional limitations of power.

Resolved, That true Republicanism makes it not the less our duty to expose corruption, denounce usurpation of power, and work for reforms necessary to the public welfare. The times demand an uprising of honest citizens to sweep from power the men who prostitute the name of an honored party to selfish interests. We therefore invite all Republicans, who desire the reforms herein set forth, to meet in national mass convention at the city of Cincinnati, on the first Wednesday of May next at 12 m.; there to take such action as our conviction of duty and the public exigency may require.

[1] The student may find what acts of President Grant's first administration are referred to in this paragraph by consulting J. F. Rhodes, History of the United States since 1850, Vol. VI, pp. 267 ff., 313 ff., 347 ff.

Of the convention that met at Cincinnati, May 1, 1872, in response to the above call, the correspondent of the *Nation* (May 9) wrote: "I doubt whether a more respectable, honest, intellectual, public-spirited, body of men ever got together for a similar purpose." The "leader and master-mind" of the movement was Carl Schurz, a German refugee of 1848, who won great distinction in his adopted land as general in the Civil War, United States senator from Missouri, and Secretary of the Interior in President Hayes's cabinet. Schurz was elected chairman of the convention, and delivered an opening address "unique in the annals of political assemblies." [1]

Nobody can survey this vast and enthusiastic assembly, gathered from all parts of the Republic, without an emotion of astonishment and hope — astonishment considering the spontaneity of the impulse which has brought it together, and hope considering the great purpose for which it has met. The Republic may well congratulate itself upon the fact that such a meeting was possible. Look at the circumstances from which it has sprung. We saw the American people just issued from a great and successful struggle, and in the full pride of their National strength, threatened with new evils and dangers of an insidious nature, and the masses of the population apparently not aware of them. We saw jobbery and corruption, stimulated to unusual audacity by the opportunities of a protracted civil war, invading the public service of the Government . . . and we saw a public opinion most deplorably lenient in its judgment of public and private dishonesty. . . . We saw the Government indulging in wanton disregard of the laws of the land, and resorting to daring assumptions of unconstitutional power. . . . We saw men in the highest places of the Republic employ their

[1] Bancroft and Dunning, "The Political Career of Carl Schurz," appendix to the Autobiography of Schurz, Vol. III, p. 343. For a polite denunciation of Schurz by a political opponent, see Blaine, Twenty Years of Congress, Vol. II, pp. 438–440.

power and opportunities for selfish advantage, thus stimulating the demoralization of our political life, and by their conspicuous example, and the loud chorus of partisan sycophancy, drown the voice of honest criticism. We saw part of our common country which had been convulsed by a disastrous rebellion, most grievously suffering from the consequences of civil war; and we saw the haughty spirit of power refusing to lift up those who had gone astray and were now suffering, by a policy of generous conciliation and the statesmanship of common sense. We observed this, and at the same time a reckless and a greedy party spirit, in the name of a great organization, crowned with the laurels of glorious achievements, striving to palliate or justify these wrongs and abuses, to stifle the moral sense of the people, and to drive them by a tyrannical party discipline not only to submit to this for the present, but to perpetuate it, that the political power of the country might be preserved in the hands of those who possessed it. . . .

The question might well have been asked, Have the American people become so utterly indifferent to their true interests, to their National harmony, to the purity of their political life, to the integrity of their free institutions, to the very honor of the American name, that they should permit themselves to be driven like a flock of sheep by those who presume to lord it over them? That question has now found an answer. The virtue, the spirit of independence, the love of liberty, the republican pride of the American people are not dead yet and do not mean to die; and that answer is given in thunder-tones by the convention of American freemen here assembled. . . .

We have a grand opportunity before us, grand and full of promise. We can crush corruption in our public concerns; we can give the Republic a pure and honest Government; we can revive the authority of the laws; we can restore to full value the Constitutional safeguard of our liberties; we can infuse a higher moral spirit into our political life; we can reanimate in the hearts of the whole people of every section of the land a fraternal and proud National feeling. We can do all this, but we can do it only by throwing behind us the selfish spirit of political trade. We obey the purest and loftiest inspirations of the popular

uprising which sent us here. . . . An uprising of the people such as we behold will not occur every day, nor every year, for it must spring from the spontaneous impulse of the popular mind. Disappoint the high expectations brought forth by that spontaneous impulse, and you have not only lost a great opportunity, but you have struck a blow at the confidence which the people have in themselves, and for a long time popular reform movements will not rise again under the weight of the discredit which you will have brought upon them. . . .

Reform must become a farce in the hands of those who either do not understand it or do not care for it. If you mean reform, intrust the work to none but those who can understand it and honestly do care, and care more for it than for their own personal ends. . . . I earnestly deprecate the cry we have heard so frequently: "Anybody to beat Grant." There is something more wanted than to beat Grant. Not anybody who might by cheap popularity, or by astute bargains and combinations, or by all the tricks of political wire-pulling, manage to scrape together votes enough to be elected President. We do not merely want another, but we want a better President than we now have. We do not want a mere change of person in the Administration of the Government; we want the overthrow of a pernicious system. . . . We want a Government which the best people of this country will be proud of. Not anybody can accomplish that, and, therefore, away with the cry: "Anybody to beat Grant"; a cry too paltry, too unworthy of the great enterprise in which we are engaged. I do not struggle for the mere punishment of an opponent, nor for a temporary lease of power. . . .

If we present men to the suffrages of the people whose character and names appeal to the loftiest instincts and aspirations of the patriot-citizen, we shall have on our side . . . the conscience of the Nation. If that be done success will be certain. Then we can appeal to the minds and hearts, to the loftiest ambition of the people, with these arguments and entreaties which spring only from a clear conviction of right. . . . Then shall we successfully overcome those prejudices which now confront us, and the insidious accusation that this great Convention is a mere gathering of disappointed and greedy politicians, will fall harmless

at our feet, for we shall have demonstrated by our action that we were guided by the purest and most patriotic of motives.

Let us despise as unworthy of our cause the tricky manipulations by which, to the detriment of the Republic, political bodies have so frequently been controlled. Let us, in the face of the great things to be accomplished, rise above all petty considerations. Personal friendship and State pride are noble sentiments; but what is personal friendship, what is State pride, compared with the great duty we owe to our common country, and the awful responsibility resting upon our action as sensible men? We know that not every one of us can be gratified by the choice of his favorite; many of us will have to be disappointed;[1] but in this solemn hour our hearts should know but one favorite, and that is the American Republic.

Pardon me for these words of warning and entreaty. I trust nobody will consider them misplaced. I fervently hope the result of our deliberations will show that they were not spoken in vain. I know that they have sprung from the most anxious desire to do what is best for our country, and thus I appeal to you with all the fervor of anxious earnestness. We stand on the threshold of a great victory, and victory will surely be ours if we deserve it.

104. The "indirect damage humbug" [498]

Our case against Great Britain for damage done to American shipping during the Civil War, by the *Alabama* and other cruisers built for the Confederate government in British ports, dragged on for seven years after the close of the war. Even after the court of arbitration had met at Geneva (December 15, 1871), proceedings threatened to

[1] Schurz was destined himself to be bitterly disappointed when, the very day after his noble speech, a political bargain was made by the Gratz Brown forces of Missouri and the Greeley forces of New York to keep Charles Francis Adams, our distinguished ex-minister to England, out of the nomination. Schurz wrote to Greeley, May 6, "My whole heart was and is in the cause I have so laboriously worked for, and it is with a grief which I cannot express that I see a movement so hopefully begun, so noble and so promising, dragged down to the level of an ordinary political operation, and stripped of its moral power." — Writings of Carl Schurz, ed. Frederick Bancroft, Vol. II, p. 367.

come to a standstill because of certain enormous "indirect claims" for damages,[1] asserted by the radical Republicans in the United States. These claims were forcibly stated by Charles Sumner of Massachusetts in a speech in the Senate, April 13, 1869.

Close upon the outbreak of our troubles, little more than one month after the bombardment of Fort Sumter, when the Rebellion was still undeveloped . . . the country was startled by the news that the British Government had intervened by a Proclamation which accorded belligerent rights to the Rebels. At the early date when this was done, the Rebels were, as they remained to the close, without ships on the ocean . . . and yet the concession was general, being applicable to the ocean and the land, so that by British fiat they became ocean belligerents as well as land belligerents. . . . In the swiftness of this bestowal there was very little consideration for a friendly power. . . .

Unfriendly in the precipitancy with which it was launched, this concession was more unfriendly in its substance. It was the first stage in the depredations on our commerce. Had it not been made, no Rebel ship could have been built in England; every step in her building would have been piracy. Nor could any munitions of war have been furnished. . . . The direct consequence of this concession was to place the Rebels on an equality with ourselves in all British markets. . . . At one stroke they were transformed not only into belligerents, but into customers. . . . It was a proclamation of equality between the National Government on the one side and the Rebels on the other, and no plausible word can obscure this distinctive character.

[1] For example, Earl Russell, foreign minister in the Palmerston cabinet in 1862, who, by his own confession later, was responsible for the departure of the *Alabama* from Liverpool, said in the House of Lords, May 13, 1872: "Unless we are assured that no representative of Her Majesty shall appear in a room on the table of which those mendacious Claims are lying, . . . I shall certainly renew again and again my motion. . . . The case appears to me to be one between the honour of the Crown of this country and the election of General Grant as President of the United States. For my part I prefer the honour of Her Majesty." — Hansard, Parliamentary Debates, series 3, Vol. CCXI, pp. 646–647.

Then came the building of the pirate ships, one after the other. While the *Alabama* was still in the ship-yard it became apparent that she was intended for the Rebels. Our Minister at London and our Consul at Liverpool exerted themselves for her arrest and detention. They were put off from day to day. On the 24th July, 1862, Mr. Adams "completed his evidence," accompanied by an opinion from the eminent barrister Mr. Collier, afterward Solicitor-General, declaring the plain duty of the British Government to stop her. Instead of acting promptly by the telegraph, five days were allowed to run out, when at last, too tardily, the necessary order was despatched. Meanwhile the pirate ship escaped from the port of Liverpool by a stratagem, and her voyage began with music and frolic. . . . The pirate ship found refuge in an obscure harbor of Wales, known as Moelfra Bay, where she lay in British water from 7.30 P.M. July 29th to about 3.00 A.M. July 31st . . . and during this time she was supplied with men from the British steam-tug *Hercules*, which followed her from Liverpool. . . .

The dedication of the ship to the Rebel service, from the very laying of the keel, and the organization of her voyage, with England as her naval base, from which she drew munitions of war and men, made her departure as much a hostile expedition as if she had sailed forth from Her Majesty's dock-yard. . . . It was in no just sense a commercial transaction, but an act of war. . . .

Individual losses may be estimated with reasonable accuracy. Ships burnt or sunk with their cargoes may be counted and their value determined; but this leaves without recognition the vaster damage to commerce driven from the ocean, and that other damage, immense and infinite, caused by the prolongation of the war, all of which may be called *national* in contradistinction to *individual*.

Our *national losses* have frankly been conceded by eminent Englishmen [Cobden, Bright, Forster]. . . . How to authenticate the extent of the national loss with reasonable certainty is not without difficulty; but it cannot be doubted that such a loss occurred. It is folly to question it. The loss may be seen in various circumstances, as, in the rise of insurance on all American vessels, the fate of the carrying trade, which was one of the great

resources of our country; the diminution of our tonnage . . . the falling off in our exports and imports, with due allowance for our abnormal currency and the diversion of war. . . .

Beyond the actual loss in the national tonnage, there was a further loss in the arrest of our natural increase in this branch of industry, which an intelligent statistician puts at 5% annually, making in 1866 a total loss on this account of 1,384,953 tons, which must be added to the 1,229,035 tons actually lost. The same statistician, after estimating the value of a ton at $40 gold, . . . puts the sum-total of our national loss on this account at $110,000,000. Of course this is only an item in our bill. . . .

This is what I have to say at present on *national losses* through the destruction of commerce. These are large enough; but there is another chapter, where they are far larger: I refer, of course, to the national losses caused by the prolongation of the war, and traceable directly to England. . . . No candid person who studies this eventful period can doubt that the Rebellion was originally encouraged by hope of support from England — that it was strengthened at once by the concession of belligerent rights on the ocean — that it was fed to the end by British supplies — that it was encouraged by every well-stored British ship that was able to defy our blockade — that it was quickened into frantic life with every report from the British pirates, flaming anew with every burning ship. . . . Not weeks nor months, but years, were added in this way to our war, so full of costly sacrifice. . . .

The Rebellion was suppressed at a cost of more than $4,000,000,000. . . . If through British intervention, the war was doubled in duration, or in any way extended, as cannot be doubted, then is England justly responsible for the additional expenditure to which our country was doomed. . . . This plain statement, without one word of exaggeration or aggravation, is enough to exhibit the magnitude of the national losses, whether from the destruction of our commerce, the prolongation of the war, or the expense of the blockade.[1]

[1] Sumner's bill against England was $15,000,000 for individual losses, $110,000,000 for the loss of our merchant marine, and $2,000,000,000 for the prolongation of the war — a grand total of $2,125,000,000!

President Grant, who later called the exorbitant claims advanced by Sumner the "indirect damage humbug," opened the way for a friendly renewal of the negotiations by the following friendly passage in his Message of December 5, 1870:

I regret to say that no conclusion has been reached for the adjustment of the claims against Great Britain, growing out of the course adopted by that Government during the rebellion. The Cabinet of London, so far as its views have been expressed, does not appear to be willing to concede that Her Majesty's Government was guilty of any negligence, or did or permitted any act during the war by which the United States has just cause of complaint. Our firm and unalterable convictions are directly the reverse. I therefore recommend to Congress to authorize the appointment of a commission to take proof of the amount and the ownership of these several claims, on notice to the representative of Her Majesty at Washington, and that authority be given for the settlement of these claims by the United States, so that the Government shall have the ownership of the private claims as well as the responsible control of all the demands against Great Britain. It cannot be necessary to add that whenever Her Majesty's Government shall entertain a desire for a full and friendly adjustment of these claims, the United States will enter upon their consideration with an earnest desire for a conclusion consistent with the honor and dignity of both nations.[1]

[1] Grant's recommendation resulted in the appointment of a joint high commission, which concluded the Treaty of Washington (1871), by which the claims of the United States were referred to a tribunal at Geneva. It was chiefly due to Charles Francis Adams, the American member of the board of five arbitrators (and our minister to England at the time of the "escape" of the *Alabama*), that the "indirect claims" were dropped and the negotiations conducted on the basis of what Sumner called the *personal losses* ($15,000,000) only. The anxiety in England over these critical negotiations at a most critical moment in the history of Europe (the Franco-Prussian War) is reflected in John Morley's Life of Gladstone, Vol. II, chap. ix.

The most remarkable proposal of the solution of the difficulty with England over the *Alabama* claims came from Senator Zachariah Chandler of Michigan, if we may fully trust the account of his colleague, Senator W. M. Stewart of Nevada, the knight-errant of the American frontier democracy.

During the latter part of February 1865, it became evident that the Civil War was drawing to a close, and there was great joy in Washington, and intense relief felt among the officers at the helm of government when the surrender at Appomattox, April 9, 1865, virtually terminated the frightful struggle.

England had wiped our commerce from the seas by building the *Alabama*, the *Florida*, the *Shenandoah*, and other swift privateers for the Confederates, which were let loose upon the shipping of the United States. There is no doubt that this country had ample cause for war with Great Britain, and there was a strong undercurrent of sentiment in favor of it.

Senator Zach Chandler of Michigan was one of the leaders of the Senate, and a man of wealth and patriotism. No Senator contributed more in brains and action to assist the Union cause than he. He wished to see the speedy restoration of the Southern States, and was anxious to smite the British Lion for the destruction of our commerce. He inaugurated a movement which secretly spread with great rapidity, and brought us almost to a rupture with England. At that time our ships of trade had been obliterated from every ocean, and the American flag, which once had been carried by our fast sailing ships to every port, had disappeared. We had no navy, but practically every harbor was protected by the iron-clads, called Monitors, which had been invented and built during the war. Our big sea-coast cities were so thoroughly defended, therefore, that no foreign enemy could have made a successful assault upon us by sea. . . .

This started Senator Chandler thinking, and he evolved a daring scheme. His bitterness against England seemed to increase after the war had been terminated. One day he drew me aside in the Senate cloak-room and unfolded his plan.

"I propose that we take an appeal to President Lincoln," he said, "signed by influential men, to call an extra session of Congress, and send 200,000 trained veterans into the British possessions north of us; 100,000 picked troops from the Federal Army, and the same number from the flower of Lee's army. I have thought of this seriously for weeks, and I shall make every effort to bring it about." He was intensely in earnest, and I knew that he would back his plan up with all the brains and energy at his command.

"We have confronting us," he continued, "a great problem. Our country is rent in twain. If we could march into Canada an army composed of the men who have worn the gray side by side with the men who have worn the blue to fight against a common hereditary enemy, it would do much to heal the wounds of the war, hasten reconstruction, and weld the North and South together in a bond of friendship.

"I believe from my knowledge of human nature that those fellows who have been fighting each other for the past four years would sail in and lick any army on the face of the globe, and be glad, and proud, and anxious to do it. I believe that 100,000 of Grant's men and 100,000 of Lee's could whip any army of twice the size on earth. . . .

"It would be impossible for England and the Canadians to organize an armed force to meet the splendid army of veterans we could throw across the border. England has a navy, of course, but she can't do us any harm, because *we* have n't any commerce to be injured, and our ports are impregnable."

It was Senator Chandler's idea, of course, that the United States should seize Canada from Great Britain in payment for the enormous losses inflicted on our commerce by British-built vessels sold to the Confederate Government. He talked this matter over with me many times. The prospect of extending our northern boundary to the North Pole pleased him. . . . At that time Alaska was about to be annexed, and it was realized that the British possessions in Canada would come in handy.

Finally, so far had the plot progressed that thirty Senators had been pledged to support it, and I attended many informal caucuses at which the next steps to be taken were discussed.

Then, at almost the very instant the scheme was to be sprung upon the country, and pressure brought to bear upon the President to secure his coöperation, Mr. Lincoln was assassinated. This made the carrying out of the plan impossible. From the very first day Johnson took the oath of office as President he was at war with Congress, and the invasion of Canada never materialized. Chandler's faith and enthusiasm in the scheme won some of the best minds in the Senate to his proposition.

PART VII. THE POLITICAL AND INDUSTRIAL HISTORY OF THE REPUBLIC SINCE THE CIVIL WAR

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CHAPTER XVIII

TWENTY YEARS OF REPUBLICAN SUPREMACY

The Republican Machine

105. The farmer and the railroad [513]

The years immediately following the Civil War saw a rapid increase in farm acreage and railroad mileage in the United States. The farmers, dependent on the railroads for transporting their crops to the markets and shipping centers of the East, watched with hostile jealousy the rising schedule of freight rates, which the railroads maintained was necessary to pay the current expenses of operation in a thinly populated country and a fair rate of interest on the enormous initial cost of the construction of the roads. In March, 1869, Mr. H. C. Wheeler, a farmer of Illinois, sent out the following call for a convention to be held at Bloomington to consider the case against the railroads:

To the Farmers of the Northwest: Will you permit a working farmer, whose entire interest is identified with yours, to address to you a word of warning?

A crisis in our affairs is approaching, and dangers threaten.

You are aware that the price of many of our leading staples is so low that they cannot be transported to the markets of Europe, or even to our own seaboard, and leave a margin for profits, by reason of the excessive rates of transportation.

During the War but little attention was given to the great increase in the price of freights, as the price of produce was proportionately high; but we look in vain for any abatement, now that we are obliged to accept less than half the former prices for much that we raise.

We look in vain for any diminution in the carrying rates, to correspond with the rapidly declining prices of the means of living, and of materials for constructing boats, cars, engines, and tracks; but on the other hand, we see a total ignoring of that rule of reciprocity between the carrying and producing interests which prevails in every other department of trade and commerce.

Does it not behoove us, then, to inquire earnestly how long we can stand this descending scale on the one hand, and the ascending on the other, and which party must inevitably and speedily go to the wall?

I by no means counsel hostility to the carrying interest — it is one of the producer's best friends; but, like the fire that cooks our food and warms our dwelling, it may also become the hardest of masters. The fire fiend laughs as he escapes from our control, and in an hour licks up and sweeps away the accumulations of years of toil.

As we cherish the fire fiend, so we welcome the clangor of the carrier fiend as he approaches our dwellings, opening up communications with the busy marts of trade. But it needs no great stretch of imagination to hear also the cach! cach! cachinations of the carrier fiend as he speeds beyond our reach, and leaving no alternative but compliance with his exorbitant demands.

Many of us are not aware of the gigantic proportions the carrying interest is assuming. Less than forty years ago the first railroad fire was kindled on this continent, [but] which now, like a mighty conflagration, is crackling and roaring over every prairie and through every mountain gorge. The first year produced fifteen miles; the last, five thousand.[1]

On the same mammoth scale goes on the work of organization and direction. By the use of almost unlimited means it enlists in its service the finest talents of the land as officers,

[1] The total mileage, which was about 30,000 in 1860, increased to 52,000 in 1870 and to 87,800 in 1880.

attorneys, agents, and lobbyists; gives free passes and splendid entertainments to the representatives of the people; and even transports whole legislatures into exceeding high mountains, showing them the kingdoms of the world, with lavish promises of reward for fealty and support; witness its land grants and franchises[1] secured from the powers that be, such as no similar interest ever acquired even in the Old World. . . .

I fancy I hear the response: "These things are so, but what can we do?" Rather, my friends, what can we not do? What power can withstand the combined and concentrated force of the producing interest of this Republic? But what avails our strength if, like Polyphemus in the fable, we are unable to use it for want of eyesight? or like a mighty army without discipline, every man fighting on his own hook? or worse, reposing in fancied security while Delilahs of the enemy have well nigh shorn away the last lock of strength? In this respect we constitute a solitary exception, every other interest having long since protected itself by union and organization.

As a measure calculated to bring all interested, as it were, within speaking distance, and as a stepping stone to an efficient organization, I propose that the farmers of the great north-west concentrate their efforts, power, and means, as the great transportation companies have done theirs, and accomplish something instead of frittering away their efforts in doing nothing.

And to this end I suggest a convention of those opposed to the present tendency to monopoly and extortionate charges by our transportation companies, to meet at Bloomington, Illinois, on the twentieth day of April next, for the purpose of discussion, and the appointment of a committee to raise funds to be expended in the employment of the highest order of legal talent, to put in form of report and argument an exposition of the rights, wrongs, interests, and injuries (with their remedies) of

[1] Before the year 1872 our government had granted to the railroads 155,000,000 acres of public land — a tract equal to New England, New York, and Pennsylvania combined. About $200,000,000 had been granted as subsidies by state legislatures, besides private subscriptions to the stocks and bonds of railway companies (cf. E. R. Johnson, American Railway Transportation, p. 314).

the producing masses of the north-west, and lay it before the authorities of each state, and of the general government. Congress is now in session, and the constitutional convention of this state will then again be convened. Farmers, now is the time for action!

Kansas followed Illinois in the agitation for farmers' rights against the railroads. Then other Western states took up the cause. At a National Agricultural Congress held at Indianapolis, May 28, 1873, the following resolutions were adopted:

Whereas, we recognize the railways of the country as an effectual means of developing its agricultural resources, and as having an interest, common and inseparable, with the country through which they pass; and, whereas, we have in times past fostered and aided them by liberal charters and concessions, made by public and private parties, and still desire to encourage further development of the railway system; therefore

Resolved, that a fair degree of reciprocity would suggest that corporations having a common interest and public aid, should in their turn endeavor to subserve the interest of the country through which they pass, by charging fair rates of freights, and by the equitable and just treatment of all localities along their lines. . . .

Resolved, that we recommend all farmers to withhold their voices and their aid from railway corporations, unless it be fully conceded and agreed that corporations so aided are subject to regulation by the power incorporating them, and will not, after receiving the advantages conferred by the public authority, claim the immunities of a private corporation. . . .

Resolved, that a railway, being practically a monopoly, controlling the transportation of nearly all the country through which it passes; and that as competition, except at a few points, cannot be relied on to fix rates, therefore it becomes the duty of the state to fix reasonable maximum rates, affording a fair remuneration to the transporter, and without being an onerous charge to the producer and consumer.

Resolved, that inasmuch as Belgium has succeeded in regulating the rates upon railways by government lines, we ask an investigation of the proposition to control the rates upon existing railways by trunk lines built and controlled by the state authorities and run at fixed uniform and cheap rates.

Resolved, that the consolidation of parallel lines of railway is contrary to public policy, and should be prohibited by law.

Resolved, that wherever a railway corporation owns or controls a line or lines in two or more states, it is the right and duty of the general government to regulate the rates of freight and fare upon such lines, under the constitutional power to regulate commerce between the states.[1]

Resolved, that we commend the thorough organization of the farmers of the country in local, county, and state organizations, for the purpose of reforming the great abuses and dealing out equal and exact justice to all men.

106. The resumption of specie payment, 1869–1878

[519]

The resumption of specie payment, or the pledge of the United States to pay in coin at their full face value all the notes issued by the government during the stress of the Civil War, was attended with grave embarrassments. The debtor farmer communities of the West, who had done

[1] Article I, Sect. VIII, par. 3. The general government had already begun to notice this question of the control of the railroads. A few months before the Indianapolis convention, President Grant, in his annual Message of December 2, 1872, had written: "The attention of Congress will be called during its present session to various enterprises for the more certain and cheaper transportation of the constantly increasing surplus of Western and Southern products to the Atlantic seaboard. The subject is one that will force itself upon the legislative branch of the Government sooner or later, and I suggest, therefore, that immediate steps be taken to gain all available information to ensure equable and just legislation." — Richardson, Messages and Papers of the Presidents, Vol. VII, p. 195. In spite of the opposition of the railways and the insistence of their counsel that Congress had no power to meddle with their affairs, a committee on railways and canals reported, through its chairman, G. H. McCrary, in January, 1874, affirming the power of Congress to regulate commerce between the states. The result of long debates on the subject was the Interstate Commerce Act of February 4, 1887 (See Muzzey, An American History, p. 542).

magnificent work in building up the nation's prosperity after the war, had secured their loans, placed their mortgages, rated their land and property valuations, and regulated their general business affairs on the basis of the value of the paper currency. Suddenly to raise the currency standard to the basis of the value of gold and silver coin would mean a great hardship for them, for it would require them to pay their debts in a currency which had a market value of only about three fourths of its face value. John Sherman of Ohio, of the Senate committee on finance, who wished to see the credit of the United States fully maintained in the eyes of the gold-standard countries of the world, and who eventually, as Secretary of the Treasury in President Hayes's cabinet, accomplished the full resumption of specie payments (January 1, 1879), gave voice to his misgivings of too hasty action in altering the standard of our currency in the following speech in the Senate, January 27, 1869:

Mr. SHERMAN. Mr. President ——

Mr. DAVIS. . . . I suggest to the honorable Senator that my proposition be read with a view to his having it before him in connection with the bill on which he proposes to speak.

The PRESIDENT *pro tempore*. The motion of the Senator from Kentucky will be read if there be no objection. [The Chief Clerk read the proposed motion, which was to . . . report a bill embodying the substance of the following propositions

1°. Gold and silver coin is the measure of par established by the world and adopted by the Constitution of the United States for all property, values, debts, and other pecuniary liabilities; and the Government of the United States having, on the sale of the bonds which constitute the bulk of the national debt, received greatly less, when measured by the par of gold and silver, than their nominal amount, said bonds should be discharged by the payment in coin of their value. . . .

2°. That all other debts and pecuniary liabilities created or incurred since the issue of legal-tender notes, and which do not express to be payable in gold or silver coin, were contemplated and intended by the parties to be met and paid in currency; and on the general resumption of specie payments, such debts and liabilities should be discharged by the payment in gold and silver coin of their value. . . .

3°. That the annual expenditures of the Government should be reduced within the following general scale: for the civil service $45,000,000; pensions and Indians $30,000,000; Department of War $25,000,000; Navy Department $20,000,000; contingencies and miscellaneous $10,000,000; and interest on the public debt $50,000,000. And the whole surplus of the revenue should be faithfully applied to the extinguishment of the public debt.

4°. The taxes which are now so grievous a burden upon the people of the United States should be reduced at least $100,000,000 annually . . . and a day within three years should be named for the general resumption of specie payments.]

Mr. SHERMAN. Mr. President, I suppose it is expected of me to state in general terms the reasons that influenced the Committee on Finance to report this measure. . . .

And in the first place it is but right to recall the embarrassments of the Committee, not only from the intrinsic difficulties of the subjects referred to us, but from the great diversity of opinion that exists in all parts of the country as to the proper measures to be adopted. . . .

In order to consider this measure properly we must have a clear perception of what is sought to be accomplished. The object we have in view is to appreciate our currency to the standard of gold as rapidly as the public interest will allow. Our present currency, or "lawful money," consists of notes of the United States [greenbacks], and these are legal tender in payments of all debts. Based upon them, and of equal value with them, is a subsidiary currency of notes of national banks, and these are redeemable in United States notes and receivable in payment of taxes. We have also a form of demand notes, convertible at the will of the holder into lawful money, called 3% certificates.

We have also a fractional paper currency which is convertible into lawful money on demand. These four species of notes compose the paper currency of the country, and the amount of each is stated as follows:

United States notes (greenbacks) . .	$356,021,073
National Bank notes	299,806,565
Three percent certificates	55,865,000
Fractional currency	34,215,715
In all	$745,908,353

All this currency is by law at par. . . . But in truth and in fact it is not at par in standard money of the world. One dollar of it has only the same purchasing power as seventy-four cents in gold. Gold, which is real money, not the representative of money, but money itself, of intrinsic value, — gold is demonetized by the law, cannot be collected in the courts, and, like cotton or wheat, is treated as a commodity whose value is measured by what we call "lawful money."

Now, it seems to me that the first step in our investigation should be to abandon the attempt to reason from a false standard. We must, to begin with recognize the immutable law of currency; and that is, there is but one par, and that par is gold. Since the earliest records of humanity gold and silver have been employed as the equivalent for effecting exchanges. From Solon to our day innumerable attempts have been made to substitute something else as money, but in spite of all, gold and silver have maintained their exclusive dominion as the money of mankind. . . .

No nation can permanently adopt a standard of value that will not be controlled and regulated by the standard of gold. No degree of isolation, no expedient of legislation, can save any nation which maintains any intercourse with foreign nations from the operation of this supreme law. Like the tides of the ocean, or the movements of the planets, it is beyond our jurisdiction. . . . It is utterly idle for a commercial people like the United States, with a foreign commerce of $800,000,000 annually, with citizens trading in every port of the world, and receiving annually 400,000 immigrants, to escape from the operation of this primary law of trade. Different nations have tried various expedients to

evade it, and have always failed. For centuries gold and silver coins were clipped and alloyed, but it only took more of them to buy a certain commodity. In modern times paper money or credit has been substituted for real money. Laws compelled the people to take them as real money. As long as this money did not exceed the amount of real money in the country it operated well. It promoted exchanges and gave great activity to enterprises, and its nominal value was the same as its real value. But when the paper money was increased, or the gold exported, the paper money depreciated; it had less purchasable power, prices rose, and either the paper money became demonetized, was rejected and repudiated, or the false standard was advanced in value to the gold standard. . . .

During our civil war, both the United States and the rebels undertook to make paper not merely the representative of money, but real money. The paper money of the rebels followed the course of continental money and French *assignats*. Ours, carefully limited in amount, supported by heavy taxes and by great resources, is still called lawful money; but after all its value is daily measured by the gold standard. It is only the substitute of money, to be paid at a future day, and is not real money. . . .

If then gold is the only true standard of money, why should we not commence our financial measures by restoring it to its place as the legal standard of money? Why not allow our citizens to base their future contracts on gold? Why not enforce these contracts in the courts as legal and valid? . . . If this question affected alone the Government of the United States, we might resume specie payments very soon. . . . And if the burden of resumption fell alone upon the national banks the task would be an easy one. Their securities, deposited with the Treasurer of the United States, are now nearly equal in gold to the amount of their circulation. . . .

But the distress caused by an appreciation of the currency falls mainly on the debtor class; others suffer only by his inability to pay. What does specie payment mean to a debtor? It means the payment of $135 where he has agreed to pay $100, or, which is the same thing, the payment of $100 where he has agreed to pay $74. Where he has purchased property and paid

one fourth of it, it means the loss of the property; it means the addition of one fourth to all the currency debts in the United States. A measure to require a debtor now to pay his debt in gold, or in currency equivalent to gold requires him to pay 135 bushels of wheat when he agreed to pay 100, and if this appreciation is extended through a period of three years, it requires him to pay an interest of 12% in addition to the rate he has agreed to pay. When we consider the enormous indebtedness of a new country like ours, where capital is scarce and where credit has been substituted in the place of capital, it presents a difficulty that may well cause us to pause. We may see that the chasm must be crossed, but it will make us wary of our footsteps. Good faith and public policy demand that we appreciate our currency to gold, but in the process we must be careful that bankruptcy, distress, and want do not fall upon our citizens who have based their obligations upon your broken promises. The debtors of this country include the active, enterprising, energetic men in all the various employments of life. It is a serious proposition to change their contracts so as in effect to require them to pay one third more than they agreed to pay. They have not paused in their business to study questions of political economy. They have based their operations upon this money, which you have declared to be lawful money. You may change its relative value, but in doing so you should give them a reasonable opportunity to change their contracts so as to adapt them to the new standards of value you may prescribe for them. . . .

Let no man deal with this question with the hasty impulse of first impressions, for he will only illustrate his own folly. Let no man be too confident of his own opinions until he has examined those of others, and he will then find that many have travelled this path before him; but no man has yet found an easy road to the resumption of specie payments.

Four years after the above speech in opposition to fixing a definite date for the resumption of specie payment Senator Sherman believed that the time had come when immediate practical steps toward resumption could be

taken without too great hardship to the debtor classes. In a speech in the Senate on January 16, 1873, he committed himself to the resumption policy.

> The restoration of our currency to a specie standard is an object of primary importance. The present condition of our currency governs and controls all other questions of political economy, and until we make it conform to and be the equivalent of money — of gold coin, the recognized standard of money among all the civilized nations — we cannot rest upon a solid basis for any kind of business or for public or private credit. Every man now buys or sells upon a fluctuating standard of measurement. Every man who borrows feels that he may be compelled to pay in a different money than he receives. Every producer feels that [in addition] to the uncertainty of supply and demand he must also speculate on the uncertainty of the kind and value of money with which he is to be paid. . . . The people at large, while boasting of their restored credit, of vast payments on their public debt, yet must feel that the public debt, held by them in the form of United States notes, is less valuable than gold, which it promises to pay; is less valuable than any other form of public debt. . . .
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> Again, all the existing laws authorizing United States notes and bank notes are based on the theory of specie payments. The notes were only issued, however, during war, under a suspension of specie payments; there was no medium of payment except the public credit. . . . Ordinarily the functions of a Government in furnishing money are limited to stamping on gold and silver of a certain weight and fineness its intrinsic value. Here its duty ends. But in war this process of coining did not meet the public necessities, and the United States coined its credit into money. . . . This money is but another form of public debt, a promise to pay specific quantities of gold and silver. . . .
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> If, then, public faith, public policy, and the spirit of our laws demand that our currency be restored to the specie standard, it would seem that the only remaining inquiry should be, What is the best way to resume? But here we meet the objections

of many business men, the most active and enterprising of our people, who tell us that specie payments with them adds largely to the burden of their debts. . . . Some tell us they are prepared to meet the gradual approach to specie payments caused by the increased business and credit of the country, while others tell us that the country needs more currency; that its growth in population, expansion in business and new enterprises, render an increase of currency indispensable. The effect of any measure upon the interests of active business men should be carefully studied, but individual hardship is not sufficient reason for a violation of public faith, or a disregard of the general interests or policy of the whole country. . . . This argument of hardship will apply forever. If we are controlled by it we can never pay our promises. The lapse of time will not make it easier. Our financial condition is now so strong that we can afford to do right, and yet in such a way as to injure in the least possible degree those who contracted debts on a currency basis. . . .

Again, a specie standard will also bring gold and silver coin into actual use. The amount now hoarded has been variously estimated, and, with that deposited in the Treasury and in circulation in California, cannot be less than $200,000,000. . . . I therefore conclude that the fears of evil results from a specie standard are greatly exaggerated; that there will be no contraction of the currency, no disturbance of real values, no suspension of business, but that our present United States and bank notes will pass as usual in the ordinary exchanges of life, measuring the value of all property . . . equal to the real money of the world, and with no taint of dishonor or depreciation about it. . . .

A careful consideration of the whole subject leads me to the conviction that the simplest and most expedient measure is to declare by law that on and after the 1st day of January next [1874] the United States will redeem its notes either with coin or, at the option of the Secretary of the Treasury, with its bonds of convenient denominations bearing five percent interest in coin. This will be a recognition by the United States of its solemn pledge, made on March 18, 1868, that it will at the earliest practicable period redeem its notes in coin. . . .

It was not inconsistency in Senator Sherman that led him, after opposing resumption of specie payments in 1869, to fix a date for resumption in 1873. He was always theoretically in favor of the measure, only he believed that the time was not ripe for it at the earlier date.[1] The panic of 1873 ensued, and resumption was delayed five years longer. When it was finally accomplished Sherman himself was Secretary of the Treasury. In order to accumulate gold for the redemption of the greenbacks he invited subscriptions to United States bonds.

Treasury Department
Washington, D.C., January 16, 1878

The Secretary of the Treasury hereby gives notice that, from the 26th instant, and until further notice, he will receive subscriptions for the four percent funded loan of the United States, in denominations as stated below, at par and accrued interest in coin.

The bonds are redeemable July 1907, and bear interest, payable quarterly, on the first day of January, April, July, and October, of each year, and are exempt from the payment of taxes or duties to the United States, as well as from taxation in any form by or under state, municipal, or local authority.

The subscriptions may be made for coupon bonds of $50, $100, $500, and $1,000, and for registered bonds of $50, $100, $500, $1,000, $5,000, and $10,000.

Two percent of the purchase money must accompany the subscription; the remainder may be paid at the pleasure of the

[1] He says in his "Recollections," for example: "At this time [1865] there was a wide difference of opinion between Secretary McCulloch and myself as to the financial policy of the government in respect to the public debt and the currency. . . . Both of us were in favor of specie payments, he by contraction, and I by the gradual advancement of the credit and value of our currency to the specie standard. With him specie payment was the primary object. With me it was a secondary object, to follow the advancing credit of the government." — John Sherman, Recollections, Vol. I, pp. 375–376.

purchaser, either at the time of subscription, or thirty days thereafter, with interest on the amount of subscription, at the rate of 4% per annum, to date of payment.

Upon the receipt of full payment, the bonds will be transmitted, free of charge, to the subscribers, and a commission of one fourth of one per cent will be allowed upon the amount of subscriptions, but no commission will be paid upon any single subscription less than $1,000.

Forms of application will be furnished by the treasurer at Washington, the assistant treasurers at Baltimore, Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco, and by the national banks and bankers generally. . . .

The interest on the registered bonds will be paid by check, issued by the treasurer of the United States, to the order of the holder, and mailed to his address. . . .

Payments for the bonds may be made in coin to the treasurer of the United States at Washington, or the assistant treasurers at Baltimore, Boston, etc. . . .

To promote the convenience of subscribers, the department will also receive, in lieu of coin, called bonds of the United States, coupons past due or maturing within thirty days, or gold certificates issued under the act of March 3, 1863, and national banks will be designated as depositories under the provisions of section 5153, Revised Statutes of the United States, to receive deposits on account of this loan, under regulations to be hereafter prescribed.

John Sherman, Secretary of the Treasury

The Party Revolution of 1884

107. Blaine's tribute to Garfield, February 27, 1882

[524]

On December 21, 1881, the Senate and the House passed resolutions for a memorial service for the martyred President, James A. Garfield, to be held in the Hall of Representatives, February 27, 1882, to which were invited the President, the ex-presidents, the cabinet officers, the justices of the Supreme Court, the governors of states,

the diplomatic corps, and prominent officers of the army and navy.[1] Before this distinguished audience James G. Blaine, the most brilliant orator of the House, pronounced the eulogy on his late chief and dearest political friend.

Mr. President: For the second time in this generation the great departments of the Government of the United States are assembled in the Hall of Representatives to do honor to the memory of a murdered President. Lincoln fell at the close of a mighty struggle in which the passions of men had been deeply stirred. The tragical termination of his great life added but another to the lengthened succession of horrors which had marked so many lintels with the blood of the first-born. Garfield was slain in a day of peace, when brother had been reconciled to brother, and when anger and hate had been banished from the land. . . .

Garfield's early opportunities for securing an education were extremely limited, and yet were sufficient to develop in him an intense desire to learn. He could read at three years of age, and each winter he had the advantage of the district school. He read all the books to be found within the circle of his acquaintance; some of them he got by heart. While yet in childhood he was a constant student of the Bible, and became familiar with its literature. The dignity and earnestness of his speech in his maturer life gave evidence of this early training. At eighteen years of age he was able to teach school, and thenceforward his ambition was to obtain a college education. To this end he bent all his efforts, working in the harvest field, at the carpenter's bench, and, in the winter season, teaching the common schools of the neighborhood. While thus laboriously occupied he found time to prosecute his studies, and was so successful that at twenty-two years of age he was able to enter the junior class at Williams College, then under the presidency of the venerable and honored Mark Hopkins. . . .

[1] On the beautiful engraved card of invitation appeared the signatures of the chairmen of the Senate and House committees on the memorial service: John Sherman for the Senate, and for the House William McKinley, Jr., destined himself thirty years later to fall as the third presidential victim of the assassin's bullet.

From his graduation at Williams onward, to the hour of his tragic death, Garfield's career was eminent and exceptional. Slowly working through his educational period, receiving his diploma when he was twenty-four years of age, he seemed at one bound to spring into conspicuous and brilliant success. Within six years he was successively President of a College, State Senator of Ohio, Major General of the Army of the United States, and Representative elect to the National Congress. A combination of honors so varied, so elevated, within a period so brief, and to a man so young, is without precedent or parallel in the history of the country. . . .

With possibly a single exception, Garfield was the youngest member in the House when he entered, and was but seven years from his college graduation. But he had not been in his seat sixty days, before his ability was recognized and his place conceded. He stepped to the front with the confidence of one who belonged there. The House was crowded with strong men of both parties; . . . but among them all none grew so rapidly, so firmly, as Garfield. As is said by Trevelyan of his parliamentary hero [Fox], Garfield succeeded "because all the world in concert could not have kept him in the background, and because when once in the front, he played his part with a prompt intrepidity and a commanding ease that were but the outward symptoms of the immense reserves of energy on which it was in his power to draw." Indeed, the apparently reserved force which Garfield possessed was one of his great characteristics. He never did so well but that it seemed he could easily have done better. He never expended so much strength but that he appeared to be holding additional power at call. This is one of the happiest and rarest distinctions of an effective debater, and often counts for as much, in persuading an assembly, as the eloquent and elaborate argument. . . .

His speeches are numerous, many of them brilliant, all of them well studied, carefully phrased, and exhaustive of the subject under consideration. . . . Indeed, if no other authority were accessible, his speeches in the House of Representatives from December 1863 to June 1880 would give a well-connected history and complete defense of the important legislation of

the seventeen eventful years that constitute his parliamentary life. . . .

Garfield's nomination to the Presidency, while not predicted or anticipated, was not a surprise to the country. . . . As a candidate Garfield grew steadily in popular favor. . . . One aspect of Garfield's candidacy was unprecedented. Never before, in the history of partisan contests in this country, had a successful Presidential candidate spoken freely on passing events and current issues. To attempt anything of the kind seemed novel, rash, and even desperate. The older class of voters recalled the unfortunate Alabama letter in which Mr. Clay was supposed to have signed his political death-warrant. . . . The younger voters had seen Mr. Greeley in a series of rigorous and original addresses preparing the pathway for his own defeat. Unmindful of these warnings, unheeding the advice of friends, Garfield spoke to large crowds as he journeyed to and from New York in August, to a great multitude in that city, to delegations and deputations of every kind that called at Mentor during the summer and autumn. With innumerable critics, watchful and eager to catch a phrase that might be turned into odium or ridicule, or a sentence that might be distorted to his own or his party's injury, Garfield did not trip or halt in any one of his seventy speeches. . . .

Garfield's ambition for the success of his Administration was high. With strong caution and conservatism in his nature, he was in no danger of attempting rash experiments or of resorting to the empiricism of statesmanship. But he believed that renewed and closer attention should be given to the questions affecting the material interests and commercial prospects of fifty millions of people. . . . He believed with equal confidence that an essential forerunner to a new era of national progress must be a feeling of contentment in every section of the Union, and a generous belief that the benefits and burdens of government would be common to all. Himself a conspicuous illustration of what ability and ambition may do under Republican institutions, he loved his country with a passion of patriotic devotion, and every waking thought was given to her advancement. He was an American in all his aspirations, and he looked

to the destiny and influence of the United States with the philosophic composure of Jefferson, and the demonstrative confidence of John Adams. . . .

On the morning of Saturday, July second, the President was a contented and happy man — not in an ordinary degree, but joyfully, almost boyishly happy. On the way to the railroad station, to which he drove slowly, in conscious enjoyment of the beautiful morning, with an unwonted sense of leisure and a keen anticipation of pleasure, his talk was all in the grateful and gratulatory vein. He felt that after four months of trial his Administration was strong in its grasp of affairs, strong in popular favor, and destined to grow stronger; that grave difficulties confronting him at his inauguration had been safely passed; that trouble lay behind and not before him. . . . No foreboding of evil haunted him; no slightest premonition of danger clouded his sky.[1] His terrible fate was upon him in an instant. One moment he stood erect, strong, confident in the years stretching out peacefully before him. The next, he lay wounded, bleeding, helpless, doomed to weary weeks of torture, to silence, and the grave.

Great in life, he was surpassingly great in death. For no cause, in the very frenzy of wantonness and wickedness, by the red hand of murder, he was thrust from the full tide of this world's interests, from its hopes, its aspirations, its victories, into the visible presence of death — and he did not quail. . . . Before him, desolation and great darkness! And his soul was not shaken. His countrymen were thrilled with instant, profound, and universal sympathy. Masterful, in his mortal weakness, he became the center of the nation's love, enshrined in the prayers of a world. But all the love and all the sympathy

[1] A certain Mr. Hudson of Detroit had warned John Sherman of plans for the president-elect's assassination in November, 1880. Garfield, on hearing the warning, replied to Sherman: "I do not think there is any serious danger in the direction to which he refers, though I am receiving what I suppose to be the usual number of threatening letters on that subject. Assassination can no more be guarded against than death by lightning, and it is best not to worry about either." — E. B. Andrews, The Last Quarter Century in the United States, Vol. I, p. 329.

could not share with him his suffering. He trod the wine-press alone. With unfaltering front he faced death. With unfailing tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet he heard the voice of God. With simple resignation he bowed to the divine decree.

As the end drew near, his early craving for the sea returned. The stately mansion of power had been to him the weary hospital of pain, and he begged to be taken from its prison walls, from its oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea, to live or to die, as God should will, within sight of its heaving billows, within sound of its manifold voices. With wan, fevered face tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its far sails, whitening in the morning light; on its restless waves, rolling shoreward to break and die beneath the noonday sun; on the red clouds of evening arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a farther shore, and felt already upon his wasted brow the breath of the eternal morning.

108. The merit system [525]

Less than a year after the assassination of President Garfield a Senate committee made the following report on the disgraceful condition of our civil service under the long-continued reign of the "spoils system," which Theodore Roosevelt later declared to be "the most potent of all the forces tending to bring about the degradation of our politics." [1]

The growth of our country from 350,000 square miles to 4,000,000, the increase of population from 3,000,000 to 50,000,000, the addition of twenty-five states, imperial in size and

[1] Theodore Roosevelt, American Ideals and Other Essays (No. VII), p. 134, reprinted from *Scribner's Magazine*, August, 1895.

capabilities, have caused a corresponding development of the machinery and faculties of the government. In the beginning — even so late as 1801 — there were 906 post-offices; now there are 44,848. Then there were 69 custom-houses; now there are 135. Then our ministers to foreign countries were 4; now they are 33. Then our consuls were 63; now they are 728. Then less than 1000 men sufficed to administer the government; now more than 100,000 are needed. Then one man might personally know, appoint on their merits, supervise the performance of their duties, and for sufficient cause remove all officers; now no single human being, however great his intelligence, discrimination, industry, endurance, devotion, even if relieved of every other duty, can possibly, unaided, select and retain in official station those best fitted to discharge the many and varied and delicate functions of the government.

It has come to pass that the work of paying political debts and discharging political obligations, of rewarding personal friends and punishing personal foes, is the first to confront each President on assuming the duties of his office, and is ever present with him even to the last moment of his official term, giving him no rest and little time for the transaction of other business, or for the study of any higher or grander problems of statesmanship. He is compelled to give daily audience to those who personally seek place or to the army of those who back them. He is to do what some predecessor of his has left undone, or to undo what others before him have done; to put this man up and that man down, as the system of political rewards and punishments shall seem to him to demand. . . .

The office of Chief Magistrate has undergone in practice a radical change. The President of the Republic created by the Constitution in the beginning, and the Chief Magistrate of today, are two entirely different public functionaries. There has grown up such a perversion of the duties of that high office, such a prostitution of it to ends unworthy of the great idea of its creation, imposing burdens so grievous, and so degrading of all the faculties and functions becoming its occupant, that a change has already come in the character of the government itself, which, if not corrected, will be permanent and disastrous.

Thus hampered and beset, the Chief Magistrate of this nation wears out his term and his life in the petty services of party, and in the bestowal of the favors its ascendency commands. He gives daily audience to beggars for place, and sits in judgment upon the party claims of contestants.

The Executive Mansion is besieged, if not sacked, and its corridors and chambers are crowded every day with the ever-changing but never-ending throng. Every Chief Magistrate, since the evil has grown to its present proportions, has cried out for deliverance. Physical endurance, even, is taxed beyond its power. More than one President is believed to have lost his life from this cause. The spectacle exhibited of the Chief Magistrate of this great nation, feeding, like a keeper, his flock, the hungry, clamorous, crowding, jostling multitude which daily gathers around the dispenser of patronage, is humiliating to the patriotic citizen interested alone in national progress and grandeur. . . .

The malign influence of political domination in appointments to office is wide-spread, and reaches out from the President himself to all possible means of approach to the appointing power. It poisons the very air we breathe. No Congressman in accord with the dispenser of power can wholly escape it. It is ever present. When he awakes in the morning it is at his door, and when he retires at night it haunts his chamber. It goes before him, it follows after him, and it meets him on the way. It levies contributions on all the relationships of a Congressman's life, summons kinship and friendship and interest to its aid, and imposes on him a work which is never finished and from which there is no release. Time is consumed, strength is exhausted, the mind is absorbed, and the vital forces of the legislator, mental as well as physical, are spent in the never-ending struggle for offices.

In his first message to Congress, December 6, 1881, President Arthur, repeating the language of his letter of acceptance of the vice presidency, urged that "original appointments should be based upon ascertained fitness," that "the term of office should be stable," and that "the

investigation of all complaints and the punishment of all official misconduct should be prompt and thorough."[1] While distrusting competitive examinations as the sole test of a candidate's fitness for office, he nevertheless promised that "if Congress should deem it advisable at the present session to establish competitive tests for admission to the service," he would give the measure his "earnest support."[2] On the very same day Senator George H. Pendleton of Ohio introduced a bill for the reform of the civil service, which was finally passed through the House and signed by President Arthur in January, 1883.

Be it enacted . . . That the President is authorized to appoint, by and with the advice of the Senate, three persons, not more than two of whom shall be adherents of the same party, as Civil Service Commissioners, and said three commissioners shall constitute the United States Civil Service Commission. . . .

Sec. 2. That it shall be the duty of said commissioners:

First. To aid the President, as he may request, in preparing suitable rules for carrying this act into effect, and when said rules shall have been promulgated it shall be the duty of all officers of the United States in the departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules into effect.

Second. And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

First, for open, competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. . . .

Second, that all the offices, places, and employments so arranged or to be arranged in classes shall be filled by selections

[1] Richardson, ed. Messages and Papers of the Presidents, Vol. VIII, p. 60.

[2] Ibid. p. 63.

according to grade from among those graded highest as the results of such competitive examinations.

Third, appointments to the public service aforesaid in the departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census. . . .

Fourth, that there shall be a period of probation before any absolute appointment or employment aforesaid.

Fifth, that no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.

Sixth, that no person in said service has any right to use his official authority or influence to coerce the political action of any person or body. . . .

THIRD. Said Commission shall, subject to the rules that may be made by the President, make regulations for and have control of, such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same. . . .

FIFTH. Said Commission shall make an annual report to the President for transmission to Congress, showing . . . any suggestions it may approve for the more effectual accomplishment of the purposes of this act. [Secs. 3–5 provide for details of holding examinations, and for punishment by fines not exceeding $1000 or by imprisonment not exceeding one year, for falsifying the results of such examinations.]

Sec. 6. That within sixty days after the passage of this act, it shall be the duty of the Secretary of the Treasury . . . to arrange in classes the several clerks and persons employed by the collector, naval officer, surveyor, and appraisers . . . at their respective offices in each customs district where the whole number of such clerks and persons shall be all together as many as fifty. And thereafter, from time to time, on the direction of the President, the Secretary shall make the like classification or arrangement of clerks . . . in any other customs district. . . .

Within said sixty days, it shall be the duty of the Postmaster General . . . to separately arrange in classes the several clerks

etc. . . . at each postoffice, or under any Postmaster of the United States, where the whole number of said clerks and persons shall together amount to as many as fifty. . . .

Sec. 7. That after the expiration of six months from the passage of this act no officer or clerk shall be appointed . . . until he has passed an examination, or is shown to be specially exempted. . . .

Sec. 8. That no person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment, or employment to which the provisions of this act are applicable. . . .

Sec. 10. That no recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any senator or member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act.

Sec. 11. That no Senator, or Representative, or Territorial Delegate of the Congress . . . and no executive, judicial, military, or naval officer of the United States . . . shall directly or indirectly solicit or receive . . . any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employee of the United States. . . .

Sec. 13. That no officer or employee of the United States mentioned in this act shall discharge, or promote, or degrade, or in any manner change the official rank or compensation of any other officer or employee . . . for giving or withholding or neglecting to make any contribution of money or other valuable thing on account of or to be applied to the promotion of any political object whatever.

Sec. 15. That any person who shall be guilty of violating any provision of the four foregoing sections shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five thousand dollars, or by imprisonment for a term not exceeding three years, or by such fine and imprisonment both, in the discretion of the court.

Approved, January sixteenth 1883.

109. The Democratic platform and candidate, 1884

[529]

The Democratic convention which was to nominate Grover Cleveland on its second ballot met at Chicago, July 8, 1884. On the next day it adopted as its platform the following scathing denunciation of the Republican party:

The Democratic party of the Union, through its representatives in national convention assembled, recognizes that, as the nation grows older, new issues are born of time and progress, and old issues perish; but the fundamental principles of the Democracy, approved by the united voice of the people, remain, and ever will remain, as the best and only security for the continuance of free government. The preservation of personal rights; the equality of all citizens before the law; the reserved rights of the States; and the supremacy of the federal government within the limits of the Constitution, will ever form the true basis of our liberties, and can never be surrendered without destroying that balance of rights and powers which enables a continent to be developed in peace, and social order to be maintained by means of local self-government. But it is indispensable for the practical application and enforcement of these fundamental principles that the government should not always be controlled by one political party. Frequent change of administration is as necessary as constant recurrence to the popular will. Otherwise, abuses grow, and the government, instead of being carried on for the general welfare, becomes an instrumentality for imposing heavy burdens on the many who are governed, for the benefit of the few who govern. Public servants thus become arbitrary rulers. This is now the condition of the country; hence a change is demanded.

The Republican party, so far as principle is concerned, is a reminiscence. In practice it is an organization for enriching those who control its machinery. The frauds and jobbery which have been brought to light in every department of the government are sufficient to have called for reform within the Republican party. Yet those in authority, made reckless by the long possession of power, have succumbed to its corrupting influence, and have placed in nomination a ticket [Blaine and Logan]

against which the independent portion of the party are in open revolt. Therefore a change is demanded. Such a change was alike necessary in 1876, but the will of the people was then defeated by a fraud which can never be forgotten nor condoned. Again, in 1880, the change demanded by the people was defeated by the lavish use of money contributed by unscrupulous contractors and shameless jobbers, who had bargained for unlawful profits or high office. The Republican party, during its legal, its stolen, and its bought tenures of power, has steadily decayed in moral character and political capacity. Its platform promises are now a list of its past failures. It demands the restoration of our navy; it has squandered hundreds of millions to create a navy that does not exist. It calls upon Congress to remove the burdens under which American shipping has been depressed; it imposed and has continued those burdens. It professes the policy of reserving the public lands for small holdings by actual settlers; it has given away the people's heritage, till now a few railroads and non-resident aliens, individual and corporate, possess a larger area than that of all our farms between the two seas. It professes a preference for free institutions; it organized and tried to legalize a control of state elections by federal troops. It professes a desire to elevate labor; it subjected American workingmen to the competition of convict and imported contract labor. It professes gratitude to all who were disabled or died in the war, leaving widows or orphans; it left to a Democratic House of Representatives the first effort to equalize both bounties and pensions. It professes a pledge to correct the irregularities of our tariff; it created and has continued them. Its own tariff commission confessed the need of more than twenty per cent. reduction; its Congress gave a reduction of less than four per cent. It professes the protection of American manufactures; it has subjected them to an increasing flood of manufactured goods and a hopeless competition with manufacturing nations, not one of which taxes raw materials. It professes to protect all American industries; it has impoverished many, to subsidize a few. It professes the protection of American labor; it has depleted the returns of American agriculture, an industry followed by half our people. It professes the equality of all men

before the law, attempting to fix the status of colored citizens; the acts of its Congress were overset by the decisions of its courts. It "accepts anew the duty of leading in the work of progress and reform"; its caught criminals are permitted to escape through contrived delays or actual connivance in the prosecution. Honeycombed with corruption, outbreaking exposures no longer shock its moral sense. Its honest members, its independent journals, no longer maintain a successful contest for authority in its canvasses or a veto upon bad nominations. That change is necessary is proved by an existing surplus of more than $100,000,000, which has yearly been collected from a suffering people. Unnecessary taxation is unjust taxation. We denounce the Republican party for having failed to relieve the people from crushing war taxes, which have paralyzed business, crippled industry, and deprived labor of employment and of just reward.

The Democracy pledges itself to purify the administration from corruption, to restore economy, to revive respect for the law, and to reduce taxation to the lowest limit consistent with due regard to the faith of the nation to its creditors and pensioners. . . .

[Here follow the usual "planks" in favor of economy, honest money, equality, a free ballot, civil-service reform, free labor, fair sales of public lands, internal improvements, and a merchant marine.]

With this statement of the hopes, principles, and purposes of the Democratic party, the great issue of reform and change in the administration is submitted to the people in calm confidence that the popular voice will announce in favor of new men, and new and more favorable conditions for the growth of industry, the extension of trade, the employment and due reward of labor and capital, and the general welfare of the whole country.

The week after Cleveland's nomination at Chicago *The Nation* published the following editorial appreciation of the candidate:

The nomination of Grover Cleveland by the Democratic Convention makes the way perfectly plain and simple for all friends of good government who are for any reason dissatisfied with the Republican candidate. This time the Democrats have made no mistake. If Cleveland had no other claim to the confidence and support of those to whom parties are simply the means of promoting the national welfare, he would have a strong one in the character of the opposition he encountered in the Convention. As General Bragg finely and happily said in seconding his nomination — "We love him most of all for the enemies he has made." The hostility of Tammany and Butler, and in fact of whatever is basest and most demagogic in his own party, is of itself a tribute of which any public man might well be proud.

But he is by no means dependent on this negative kind of testimony. The enmity of corrupt intriguers might mean after all simply that his intentions were good, and that they merely feared that he would, if put in power, fail to answer their purpose. Cleveland has happily something far stronger than the promise of a strong character to commend him to the suffrages of good men of all parties. He is a tried administrator. One of the Blaine organs in its great agony has tried to relieve itself by calling him "a man destitute of experience." Of one kind of experience — experience in political trickery and manipulation, and in the art of making money for himself and his friends out of politics — he is indeed destitute. But the present extraordinary political crisis is due to the profound and growing popular belief that this kind of experience is too common among our statesmen, and that the Republican candidate in particular is too rich in it either for his own or his country's good. Of the kind of experience which the present situation in national affairs most imperatively calls for, experience in administration, Cleveland has more than anyone who has entered the White House since 1860, more than any man whom either party has nominated within that period, except Seymour and Tilden — more than Lincoln, more than Grant, more than Hayes, more than Garfield, more than Arthur.

He laid at the start the best of all foundations for American statesmanship by becoming a good lawyer. He began his executive career by being a good county sheriff. He was next intrusted

with the administration of a great city [Buffalo] — as severe a test of a man's capacity in dealing with men and affairs as any American in our time can undergo. In both offices he gave boundless satisfaction to his fellow-citizens of both parties. His nomination for the Governorship of this State came in due course, and at a crisis in State affairs which very closely resembled that which we are now witnessing in national affairs. His election by an unprecedented majority is now an old story. It was the beginning of a revolution. It was the first thorough fright the tricky and jobbing element in politics ever received here. It for the first time in the experience of such politicians gave reform an air of reality. But it might, had Cleveland proved a weak or incompetent man, have turned out a very bad blow for pure politics.

Luckily, he justified all the expectations and even all the hopes of those who voted for him. No friend of good government who, in disregard of party ties, cast his vote for him, has had reason to regret it for one moment. We owe to his vigorous support a large number of reformatory measures which people in this State for forty years had sighed for with little more expectation of seeing them enacted than of seeing the Millennium. In other words, he has arrested the growth of political despair among large numbers both of young and old voters in this State. His Messages, too, have been models of sound common sense and penetrating sagacity clothed in the terse and vigorous English which shows that there is a man and not a windy phrasemonger behind the pen. Though last, not least, his best work has been done in utter disregard of the hostility of that element in his own party which for so many years has been an object of mingled hate and fear to the best part of the American people. He is in truth a Democrat of the better age of the Democratic party, when it was a party of simplicity and economy, and might almost have put its platform into the golden rule of giving every man his due, minding your own business, and asking nothing of government but light taxes and security in the field and by the fireside. No one who has entered the White House for half a century, except Lincoln in his second term, has offered reformers such solid guarantees that as President he will do

his own thinking, and be his own master in the things which pertain to the Presidency. . . .

The true question for a voter to ask himself about a Presidential candidate, especially in crises like the present, . . . are, In what way will he probably behave in the sphere of Presidential duties? What kind of nominations to office will he send to the Senate? What considerations are likely to prevail with him in making removals? What sort of men are likely to surround him and be listened to by him at the White House? What is likely to be his attitude toward the moral and intellectual currents of the day, and toward the upward movements in American politics and society? How does he feel about money and rich men, and about the money-making enterprises which are the great snare and temptation of modern life? Has he the sobriety of judgment, the steadiness of temper, the maturity of character and the patient deliberativeness which high places and great cares imperatively call for? Is he a sound and prudent man of business, and has he a keen eye for the remoter consequences of legislation? Will he deal with foreign nations with the quiet and manly self-respect which becomes the representative of an industrious commercial people, among whom swashbucklers and military adventurers are despised or unknown?

These questions can, we believe, be answered as regards Mr. Cleveland in a way with which every friend of good government may be fully satisfied, and we commend him especially to the younger voters all over the country who long for a better era in politics, as a man to be trusted and worked for. Even those whose Republican traditions are most deeply rooted may rest assured that they can render no better service to the party they have long loved and supported than by securing his triumph. For this time a Democratic victory will arrest peremptorily, and, we believe, finally, the insolence and hopefulness of the corrupt and freebooting element among Republicans, which has found its final expression in the Blaine nomination, and has at last destroyed that dream of "reform within the party" which has for so many years sustained the patience of tens of thousands of its best members.

CHAPTER XIX

THE CLEVELAND DEMOCRACY

A People's President

110. The tariff message of 1887 [537]

There is no more conspicuous example of President Cleveland's courageous fidelity to the avowed principles of the Democratic party or of his patriotic indifference to his own political preferment than his third annual message, of December 6, 1887, devoted entirely to the discussion of the reduction of the tariff.

Washington, December 6, 1887

To the Congress of the United States:

You are confronted at the threshold of your legislative duties with a condition of the national finances which imperatively demands immediate and careful consideration.

The amount of money annually exacted, through the operation of present laws, from the industries and necessities of the people largely exceeds the sum necessary to meet the expenses of the Government.

When we consider that the theory of our institutions guarantees to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deduction as may be his share toward the careful and economical maintenance of the Government which protects him, it is plain that the exaction of more than this is indefensible extortion and a culpable betrayal of American fairness and justice. This wrong, inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public Treasury, which should only exist as a conduit conveying the people's tribute to its legitimate objects of expenditure, becomes

a hoarding place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder. . . .

On the 30th day of June, 1885, the excess of revenues over public expenditures, after complying with the annual requirements of the sinking-fund act, was $17,859,735.84; during the year ending June 30, 1886, such excess amounted to $49,405,545.20, and during the year ending June 30, 1887, it reached the sum of $55,567,849.54 . . . the excess for the present year amounting on the first day of December to $55,258,701.19, and estimated to reach the sum of $113,000,000 on the 30th of June next, . . . will swell the surplus in the Treasury to $140,000,000. . . .

I have deemed it my duty to thus bring to the knowledge of my countrymen, as well as to the attention of their representatives charged with the responsibility of legislative relief, the gravity of our financial situation. . . . If disaster results from the continued inaction of Congress, the responsibility must rest where it belongs. . . .

Our scheme of taxation, by means of which this needless surplus is taken from the people and put into the public Treasury, consists of a tariff or duty levied upon importations from abroad and internal revenue taxes levied upon the consumption of tobacco and spirituous and malt liquors. It must be conceded that none of the things subjected to internal revenue taxation are, strictly speaking, necessaries. There appears to be no just complaint of this taxation by the consumers of these articles, and there seems to be nothing so well able to bear the burden without hardship to any portion of the people.

But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty, by precisely the sum paid for such duties. Thus the amount of duty measures the tax paid by those who purchase for use those imported articles. Many of these things,

however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufacturers, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that while comparatively a few use the imported articles, millions of our people . . . purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. . . .

It is not proposed to entirely relieve the country of this taxation. It must be extensively continued as the source of the Government's income; and in a readjustment of our tariff the interests of American labor engaged in manufacture should be carefully considered, as well as the preservation of our manufactures. . . . But this existence should not mean a condition which, without regard to the public welfare, must always insure the realization of immense profits instead of moderately profitable returns. As the volume and diversity of our national activities increase, new recruits are added to those who desire a continuation of the advantages which they conceive the present system of tariff taxation directly affords them. So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage. . . .

In speaking of the increased cost to the consumer of our home manufactures resulting from a duty laid upon imported articles of the same description, the fact is not overlooked that competition among our domestic producers sometimes has the effect of keeping the price of their products below the highest limit allowed by such duty. But it is notorious that this competition is too often strangled by combinations quite prevalent at this time, and frequently called trusts, which have for their object the regulation of the supply and price of commodities made and sold by members of the combination. The people

can hardly hope for any consideration in the operation of these selfish schemes.

If, however, in the absence of such combination, a healthy and free competition reduces the price of any particular dutiable article of home production below the limit which it might otherwise reach under our tariff laws, and if with such reduced price its manufacture continues to thrive, it is entirely evident that one thing has been discovered which should be carefully scrutinized in an effort to reduce taxation.

The necessity of combination to maintain the price of any commodity to the tariff point furnishes proof that some one is willing to accept lower prices for such commodity and that such prices are remunerative. The lower prices produced by competition prove the same thing. Thus where either of these conditions exists a case would seem to be presented for an easy reduction of taxation. . . .

The difficulty attending a wise and fair revision of our tariff laws is not underestimated. It will require on the part of the Congress great labor and care, and especially a broad and national contemplation of the subject and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country. . . . The taxation of luxuries presents no features of hardship; but the necessaries of life used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened. . . .

Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a *condition* which confronts us, not a theory. The question of free trade is absolutely irrelevant, and the persistent claim made in certain quarters that all the efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free traders, is mischievous and far removed from any consideration for the public good.

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government and to restore to the business of

the country the money which we hold in the Treasury through the possession of governmental powers. These things can and should be done with safety to all our industries, without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people by cheapening their means of subsistence and increasing the measure of their comforts. . . .

I am so much impressed with the paramount importance of the subject to which this communication has thus far been devoted that I shall forego the addition of any other topic, and only urge upon your immediate consideration the "state of the Union" as shown in the present condition of our Treasury and our general fiscal situation, upon which every element of our safety and prosperity depends. . . .

Grover Cleveland

Blaine was in Paris when Cleveland's message appeared. He was immediately visited by the London correspondent of the *New York Tribune* and dictated the following interview, which was cabled to America and published in the *Tribune* of December 8, 1887. It is often called "Blaine's Paris Message."

"I have been reading an abstract of the President's message, and have been especially interested in the comments of the London papers. Those papers all assume to declare the message is a free trade manifesto and evidently are anticipating an enlarged market for English fabrics in the United States as a consequence of the President's recommendations. Perhaps that fact stamped the character of the message more clearly than any words of mine can."

"You don't mean actual free trade without duty?" queried the reporter.

"No," replied Mr. Blaine, "nor do the London papers mean that. They simply mean that the President has recommended what in the United States is known as a revenue tariff, rejecting the protective features as an object, and not even permitting protection to result freely as an incident to revenue duties. . . .

I mean that for the first time in the history of the United States the President recommends retaining the internal tax in order that the tariff may be forced down even below the fair revenue standard." . . .

"Do you think if the President's recommendations were adopted it would increase our export trade?"

"Possibly in some few articles of peculiar construction it might, but it would increase our import trade ten-fold as much in the great staple fabrics, in woolen and cotton goods, in iron, in steel, in all the thousand and one shapes in which they are wrought. How are we to export staple fabrics to the markets of Europe unless we make them cheaper than they do in Europe, and how are we to manufacture them cheaper than they do in Europe unless we get cheaper labor than they have in Europe?"

"Then you think that the question of labor underlies the whole subject?"

"Of course it does. It is, in fact, the entire question. Whenever we can force carpenters, masons, ironworkers and mechanics in every department to work as cheaply and live as poorly in the United States as similar workmen in Europe, we can, of course, manufacture as cheaply as they do in England and France. But I am totally opposed to a policy that would entail such results. To attempt it is equivalent to a social and financial revolution, one that would bring untold distress."

"Yes, but might not the great farming class be benefited by importing articles from Europe instead of buying them at higher prices at home?"

"The moment," answered Mr. Blaine, "you begin to import freely from Europe you drive our own workmen from mechanical and manufacturing pursuits. In the same proportion they become tillers of the soil, increasing steadily the agricultural product and decreasing steadily the large home demand which is constantly enlarging as home manufactures enlarge. That, of course, works great injury to the farmer, glutting the market with his products and tending constantly to lower prices."

"Yes, but the foreign demand for farm products would be increased in like ratio, would it not?"

" Even suppose it were," said Mr. Blaine, " how do you know the source from which it will be supplied? The tendency in Russia today and in the Asiatic possessions of England is toward a large increase of the grain supply, the grain being raised by the cheapest possible labor. Manufacturing countries will buy their breadstuffs where they can get them cheapest, and the enlarging of the home market for the American farmer being checked, he would search in vain for one of the same value. His foreign sales are already checked by the great competition abroad. There never was a time when the increase of a large home market was so valuable to him. The best proof is that the farmers are prosperous in proportion to the nearness of manufacturing centers, and a protective tariff tends to spread manufactures." . . .

" But what about the existing surplus?"

" The abstract of the message I have seen," replied Mr. Blaine, " contains no reference to that point. I therefore make no comment further than to endorse Mr. Fred. Grant's remark that a surplus is always much easier to handle than a deficit. . . .

" The President's recommendation enacted into a law would result as did an experiment in draining of a man who wished to turn a swamp into a productive field. He dug a drain to a neighboring river, but it happened, unfortunately, that the level of the river was higher than the level of the swamp. The consequence need not be told. A parallel would be found when the President's policy in attempting to open a channel for an increase of exports should simply succeed in making way for a deluging inflow of fabrics to the destruction of home industry. . . . It is not our foreign trade that has caused the wonderful growth and expansion of the Republic. It is the vast domestic trade between thirty-eight States and eight Territories, with their population of perhaps 62,000,000 today. The whole amount of our export and import trade together has never, I think, reached $1,900,000,000 in any one year. Our internal home trade on 130,000 miles of railroad, along 15,000 miles of ocean coast, over the five great lakes, and along 20,000 miles of navigable rivers, reaches the enormous annual aggregate of more than $40,000,000,000, and perhaps this year $50,000,000,000.

"It is into this illimitable trade, even now in its infancy, and destined to attain a magnitude not dreamed of twenty years ago, that the Europeans are struggling to enter. It is the heritage of the American people, of their children and of their children's children. It gives an absolutely free trade over a territory nearly as large as all Europe, and the profit is all our own. . . . President Cleveland now plainly proposes a policy that will admit Europe to a share in this trade."

"What must be the marked and general effect of the President's message?"

"It will bring the country where it ought to be brought — to a full and fair contest on the question of protection. The President himself makes it the one issue by presenting no other in his message. I think it well to have the question settled. The Democratic party in power is a standing menace to the industrial prosperity of the country. That menace should be removed or the policy it foreshadows should be made certain. Nothing is so mischievous to business as uncertainty, nothing so paralyzing as doubt."

A Billion-Dollar Country

111. The New South

[547]

The most distinguished citizen of the South in the generation following the Civil War was Henry W. Grady of Atlanta, Georgia. Gifted with rare oratorical power, constructive statesmanship, and generous sympathies, he devoted his great talents to the encouragement of the South in the development of its material resources and the cultivation of a broad national spirit. "He was the leader of the New South, and died in the great work of impressing its marvellous growth and national aspirations upon the willing ear of the North."[1] He also impressed

[1] Remark of Chauncey M. Depew at a dinner of the New England Society of New York, December 23, 1889, on the reception of a telegram announcing the death of Grady. The reference in Depew's remark is to a visit made to Boston by Grady, only a few days before his death, to address the Merchants' Association — a visit in which he

these ideas on the minds of the South, most eloquently, perhaps, in a speech at a state fair at Dallas, Texas, October 26, 1887, from which the following passages are taken:

What of the South's industrial problem? There is a figure with which history has dealt lightly, but that, standing pathetic and heroic in the genesis of our new growth, has interested me greatly — our soldier farmer of '65. What chance had he for the future as he wandered amid his empty barns, his stock, labor, and implements gone — gathered up the fragments of his wreck — urging kindly his borrowed mule — paying sixty per cent. for all that he bought, and buying all on credit — his crop mortgaged before it was planted — his children in want, his neighborhood in chaos — working under new conditions and retrieving every error by a costly year — plodding all day down the furrow, hopeless and adrift, save when at night he went back to his broken home, where his wife, cheerful even then, renewed his courage, while she ministered to him in loving tenderness. Who would have thought . . . that he would in twenty years, having carried these burdens uncomplainingly, make a crop of $800,000,000? Yet this he has done, and from his bounty the South has rebuilded her cities, and recouped her losses. While we exult in his splendid achievement, let us take account of his standing. . . .

With amazing rapidity [the South] has moved away from the one crop idea that was once her curse. In 1880 she was esteemed prosperous. Since that time she has added 393,000,000 bushels to her grain crops, and 182,000,000 head to her live stock. This has not lost one bale of her cotton crop, which, on the contrary, has increased nearly 200,000 bales. With equal swiftness she has moved away from the folly of shipping out her ore at $2 a ton and buying it back in implements from $20 to $100 per ton; her cotton at 10 cents a pound, and

contracted a fatal case of pneumonia. "New York mingles her tears with those of his kindred," continued Depew, "and offers to his memory a tribute of her profoundest admiration." — J. C. Harris, The Life of Henry W. Grady, p. 624.

buying it back in cloth at 20 to 80 cents per pound; her timber at $8 per thousand [feet] and buying it back in furniture at ten to twenty times as much. In the past eight years $250,000,000 have been invested in new shops and factories in her States; 225,000 are now working who eight years ago were idle or worked elsewhere, and these added $227,000,000 to the value of her raw material — more than half the value of her cotton. Add to this the value of her increased grain crops and stock, and in the past eight years she has grown in her fields or created in her shops manufactures more than the value of her cotton crop. The incoming tide has begun to rise. Every train brings manufacturers from the East and West seeking to establish themselves or their sons near the raw material and in this growing market. Let the fullness of the tide roll in.

It will not exhaust our materials, nor shall we glut our markets. When the growing demand of our Southern market, feeding on its own growth, is met, we shall find new markets for the South. We buy from Brazil $50,000,000 worth of goods, and sell her $8,500,000. England buys on $29,000,000, and sells her $35,000,000. Of $65,000,000 in cotton goods bought by Central and South America, over $50,000,000 went to England. Of $331,000,000 sent abroad by the southern half of our hemisphere, England secures over half, although we buy from that section nearly twice as much as England. Our neighbors to the south need every article we make; we need nearly everything they produce. Less than 2,500 miles of road must be built to bind by rail the two American continents. When this is done, and even before, we shall find exhaustless markets to the South. . . .

The South, under the rapid diversification of crops and diversification of industries, is thrilling with new life. As this new prosperity comes to us, it will bring no sweeter thought to me, and to you, my countrymen, I am sure, than that it adds not only to the comfort and happiness of our neighbors, but that it makes broader the glory and deeper the majesty, and more enduring the strength, of the Union which reigns supreme in our hearts. In this republic of ours is lodged the hope of free government on earth. . . . Let us — once estranged and thereby

closer bound — let us soar above all provincial pride and find our deeper inspirations in gathering the fullest sheaves into the harvest and standing the staunchest and most devoted of its sons as it lights the path and makes clear the way through which all the people of this earth shall come in God's appointed time. . . .

The South needs her sons today more than when she summoned them to the forum to maintain her political supremacy, more than when the bugle called them to the field to defend issues put to the arbitrament of the sword. Her old body is instinct with appeal calling on us to come and give her fuller independence than she has ever sought in field or forum. It is ours to show that as she prospered with slaves, she shall prosper still more with freemen; ours to see that from the lists she entered in poverty she shall emerge in prosperity; ours to carry the transcending traditions of the old South from which none of us can in honor or in reverence depart, unstained and unbroken into the new. Shall we fail? Shall the blood of the old South — the best strain that ever uplifted human endeavor — that ran like water at duty's call and never stained where it touched — shall this blood that pours into our veins through a century luminous with achievement, for the first time falter and be driven back from irresolute heat, when the old South, that left us a better heritage in manliness and courage than in broad and rich acres, calls us to settle problems? . . .

I see a South, the home of fifty millions of people, who rise up every day to call from blessed cities, vast hives of industry and of thrift; her countrysides the treasures from which their resources are drawn; her streams vocal with whirring spindles; her valleys tranquil in the white and gold of the harvest; her mountains showering down the music of bells, as her slow-moving flocks and herds go forth from their folds; her rulers honest and her people loving, and her homes happy and their hearthstones bright, and their waters still, and their pastures green, and her conscience clear; her wealth diffused and poor houses empty. . . . Peace and sobriety walking hand in hand through her borders; honor in her homes; uprightness in her midst; plenty in her fields; straight and simple faith in the

hearts of her sons and daughters; her two races walking together in peace and contentment; sunshine everywhere and all the time, and night falling on her generally as from the wings of the unseen dove.

112. The hurricane at Samoa, March 15-16, 1889

The *New York Times* of Sunday, March 31, 1889, published the following dispatch from Rear Admiral Kimberley in Samoa, sent via Aukland and London:

[553] Hurricane at Apia, March 15. Every vessel in harbor on shore except English man-of-war *Calliope* which got to sea. *Trenton* and *Vandalia* total losses. *Nipsic* beached; rudder gone; may be saved; chances against it. . . . *Vandalia* lost four officers and thirty-nine men; *Nipsic* lost seven men; all saved from *Trenton*. . . . German losses ninety-six. Important to send three hundred men home at once. Shall I charter steamer? Can charter in Aukland. . . . Fuller accounts by mail.

Kimberly

Three years later this terrible calamity was described by the greatest living writer of narrative prose, Robert Louis Stevenson, in his "Eight Years of Trouble in Samoa."

By the second week in March, three American ships were in Apia bay — the *Nipsic*, the *Vandalia*, and the *Trenton*, carrying the flag of Rear-Admiral Kimberley; three German — the *Adler*, the *Eber*, and the *Olga*; and one British, — the *Calliope*, Captain Kane. Six merchantmen, ranging from twenty-five up to five hundred tons, and a number of small craft, further encumbered the anchorage. . . . In this overcrowding of ships in an open entry of the reef, even the eye of a landsman could spy danger; and Captain-Lieutenant Wallis of the *Eber* openly blamed and lamented, not many hours before the catastrophe, their helpless posture. Temper once more triumphed. The army of Mataafa still hung immanent behind the town; the German quarter was still daily garrisoned with fifty sailors from the squadron; what was yet more influential, Germany and the [United] States, at least in Apia bay, were on the brink of war, viewed each other

with looks of hatred, and scarce observed the letter of civility. On the day of the admiral's arrival, Knapp [the German consul in Samoa] failed to call on him, and on the morrow called on him while he was on shore. The slight was remarked and resented, and the two squadrons clung the more obstinately to their dangerous station.

On the 15th the barometer fell to 29°.11 by 2 P.M. This was a moment when every sail in port should have escaped. Kimberley, who flew the only broad pennant, should certainly have led the way; he clung, instead, to his moorings, and the Germans doggedly followed his example: semibelligerents, daring each other and the violence of heaven. . . . The night closed black, with sheets of rain. By midnight it blew a gale; and by the morning watch, a tempest. . . .

Day came about six, and presented to those on shore a seizing and terrific spectacle. In the pressure of the squalls, the bay was obscured as if by midnight, but between them a great part of it was clearly if darkly visible amid driving mist and rain. The wind blew into the harbor mouth. . . . Seas that might have awakened surprise and terror in the midst of the Atlantic, ranged bodily and (it seemed to observers) almost without diminution into the belly of that flask-shaped harbor; and the war ships were alternately buried from view in the trough, or seen standing on end against the breast of billows.

The *Trenton* at daylight still maintained her position in the neck of the bottle. But five of the remaining ships tossed, already close to the bottom, in a perilous and helpless crowd; threating to ruin each other as they tossed; threatened with a common and imminent destruction on the reefs. Three had been already in collision; the *Olga* was injured in the quarter; the *Adler* had lost her bowsprit; the *Nipsic* had lost her smoke-stack, and was making steam with difficulty, maintaining her fire with barrels of pork, and the smoke and sparks pouring along the level of the deck. . . . The *Eber* had dragged anchors with the rest; her injured screw disabled her from steaming vigorously up; and a little before day, she had struck the front of the coral, come off, struck again, and gone down stem foremost, oversetting as she went, into the gaping hollow of the

reef. Of her whole complement of nearly eighty, four souls were cast alive on the beach; and the bodies of the remainder were, by the voluminous outpouring of the flooded streams, scoured at last from the harbor, and strewed naked on the seaboard of the island. . . .

Three ships still hung on the next margin of destruction, steaming desperately to their moorings, dashed helplessly together. The *Calliope* was the nearest in; she had the *Vandalia* close on her port side and a little ahead, the *Olga* close a-starboard, the reef under her keel; and steaming and veering on her cables, the unhappy ship fenced with her three dangers. . . . The one possibility of escape was to go out. If the engines should stand, if they should have power to drive the ship against wind and sea, if she should answer the helm, if the wheel, rudder, and gear should hold out, and if they were favored with a clear blink of weather in which to see and avoid the outer reef — there, and there only, were safety. Upon this catalogue of "ifs" Kane staked his all. He signalled to the engineer for every pound of steam — and at that moment (I am told) much of the machinery was already red hot. . . . For a time the *Calliope* lay stationary; then gradually drew ahead. The highest speed claimed for her that day is of one sea-mile an hour. . . . As she thus crept seaward, she buried bow and stern alternately under the billows.

In the fairway of the entrance, the flagship *Trenton* still held on. Her rudder was broken, her wheel carried away; within she was flooded. . . . She had just made the signal "fires extinguished," and lay helpless, awaiting the inevitable end. Between this melancholy hulk and the external reef, Kane must find a path. Steering within fifty yards of the reef . . . and her foreyard passing on the other hand over the *Trenton's* quarter as she rolled, the *Calliope* sheered between the rival dangers, came to the wind triumphantly, and was once more pointed for the sea and safety. Not often in naval history was there a moment of more sickening peril, and it was dignified by one of those incidents that reconcile the chronicler with his otherwise abhorrent task. From the doomed flagship, the Americans hailed the success of the English with a cheer. It was led by the old Admiral

in person, rang out over the storm with a holiday vigor, and was answered by the Calliopes with an emotion easily conceived. The ship of their kinsfolk was almost the last external object seen from the *Calliope* for hours; immediately after, the mists closed about her till the morrow. She was safe at sea again — *una de multis*. . . .

The morning of the 17th displayed a scene of devastation rarely equalled; the *Adler* high and dry, the *Olga* and *Nipsic* beached, the *Trenton* partly piled on the *Vandalia* and herself sunk to the gun-deck; no sail afloat; and the beach heaped high with the *débris* of ships and the wreck of mountain forests. . . . Thus, in what seemed the very article of war, and within the duration of a single day, the sword arm of each of the two angry powers was broken; their formidable ships reduced to junk; their disciplined hundreds to a horde of castaways, fed with difficulty, and the fear of whose misconduct marred the sleep of their commanders. Both paused aghast; both had time to recognize that not the whole Samoan Archipelago was worth the loss in men and costly ships already suffered. The so-called hurricane of March 16 made thus a marking epoch in world-history; directly, and at once, it brought about the congress and treaty of Berlin;[1] indirectly, and by a process still continuing, it founded the modern navy of the [United] States. Coming years and other historians will declare the influence of that.

Although the "formidable" and "costly" ships wrecked at Apia were only unarmored cruisers of from 1375 to 3900 tons, their loss was sufficient to cripple our navy. Under the title "The Naval Catastrophe" an editorial in the *New York Times* of March 31, 1889, said:

Another lesson which the Americans may well take to heart is the duty of increasing their navy with all possible dispatch.

[1] For the congress see Muzzey, An American History, p. 554. The tripartite government lasted through ten stormy years, until, in December, 1899, the British withdrew entirely from Samoa and left Germany and the United States to divide the islands. We took the island of Tutuila, which contained Pango-Pango, the best harbor in the archipelago.

The Germans can replace their shattered ships without great exertion and with comparatively little delay. . . . The United States will have great difficulty in recruiting its naval forces in Apia and taking off the shipwrecked crews. At Panama a vessel cannot be spared: at San Francisco there is not a ship available for the service. There are three antiquated vessels in the Asiatic squadron, one new dispatch boat, the *Dolphin*, and the *Palos*, which is hardly better than a tow-boat. In this emergency the only resource is to send some of these venerable relics from China to Hawaii, and leave those important stations bare. Such a situation is humiliating to American pride. The movement for providing the country with a well-equipped modern navy ought to receive a powerful impulse from the Samoan catastrophe.

Problems of Cleveland's Second Term

113. The Chicago strike of 1894 [562]

The most serious industrial struggle in the history of our country, and the only one in which the troops of the United States have been called upon to fire on United States citizens, was the great railroad strike in Chicago in 1894, arising out of the conflict over wages in the Pullman Palace Car Company. On the day set by the American Railway Union for refusing to handle trains to which Pullman cars were attached, unless the Pullman Company agreed to arbitration with its employees[1] (June 26, 1894), the following statement of its position was published by the company in the *Chicago Herald*:

[1] On July 26, 1894, President Cleveland appointed a commission of three men to investigate the causes of the strike. In his testimony before the commission George M. Pullman, president of the company, said: "Of course there are matters which are proper subjects of arbitration . . . but as to whether a fact which I know to be true, is true or not, I could not agree to submit to arbitration. The question as to whether the shops at Pullman should be continuously operated at a loss or not, is one which it was impossible for the company, as a matter of principle, to submit to the opinion of any third party." — W. J. Ashley, The Railroad Strike of 1894, p. 3. Cambridge, 1895.

In view of the proposed attempt of the American Railway Union to interfere with public travel on railway lines using Pullman cars, in consequence of a controversy as to the wages of employes of the manufacturing department of the company, the Pullman company requests the publication of the following statement of the facts, in the face of which the attempt is to be made.

In the first week of May last, there were employed in the car manufacturing department at Pullman, Ill., about 3100 persons. On May 7th a committee of the workmen had an interview by arrangement with Mr. Wickes, vice-president, at which the principal subject of discussion related to wages. . . . The absolute necessity of the last reduction in wages, under the existing condition of the business of car manufacturing, had been explained to the committee, and they were insisting upon a restoration of the wage scale of the first half of 1893, when Mr. Pullman entered the room and addressed the committee, speaking in substance as follows:

At the commencement of the very serious depression last year we were employing at Pullman 5816 men, and paying out in wages there $305,000 a month. Negotiations with intending purchasers of railway equipment that were then pending for new work were stopped by them, orders already given by others were canceled, and we were obliged to lay off, as you are aware, a large number of men in every department, so that by November 1, 1893, there were only about 2000 men in all departments. . . . I realized the necessity for the most strenuous exertions to procure work immediately . . . and, with lower prices upon all materials, I personally undertook the work of the lettings of cars, and by making lower bids than other manufacturers, I secured work enough to gradually increase our force from 2000 up to about 4200, the number employed, according to the April pay-rolls, in all capacities at Pullman.

This result has not been accomplished merely by reduction in wages, but the company has borne its full share by eliminating from its estimates the use of capital and machinery, and in many cases going even below that and taking work at considerable loss, notably the fifty-five Long Island cars, which was the first large order of passenger cars let since the great depression, and which was sought for by practically all the leading car-builders in the country. My

anxiety to secure that order, so as to put as many men at work as possible, was such that I put in a bid at more than $300 per car less than the actual cost to the company. The three hundred stock cars built for the Northwestern Road and the two hundred and fifty refrigerator cars now under construction for the same company, will result in a loss of at least $12 per car, and the twenty-five cars just built for the Lake Street Elevated Road show a loss of $79 per car. I mention these particulars so that you may understand what the company has done for the mutual interest and to secure for the people at Pullman and vicinity the benefit of the disbursement of the large sums of money involved in these and similar contracts. . . . I can only assure you that if this company now restores the wages of the first half of 1893, as you have asked, it would be a most unfortunate thing for the men, because there is less than sixty days of contract work in sight in the shops under all orders, and there is absolutely no possibility, in the present condition of affairs throughout the country, of getting any more orders for work at prices measured by the wages of May, 1893. Under such a scale the works would necessarily close down and the great majority of the employes be put in idleness, a contingency I am using my best efforts to avoid.

To further benefit the people of Pullman and vicinity, we concentrated all the work that we command at that point, by closing our Detroit shops entirely, and laying off a large number of men at our other repair shops, and gave to Pullman the repair of all cars that could be taken care of there.

Also for the further benefit of our people at Pullman, we have carried on a large system of internal improvements, having expended nearly $160,000 since August last in work, which, under normal conditions, would have been spread over one or two years. The policy would be to continue this class of work to as great an extent as possible, provided, of course, the Pullman men show a proper appreciation of the situation by doing whatever they can to help themselves to tide over the hard times which are so seriously felt in every part of the country. . . .

At a meeting of the local committee held during the night of May 10 a strike was decided upon, and accordingly the next day about 2500 of the employes quit their work, leaving about 600 at work, of whom very few were skilled workmen. As it was found impracticable to keep the shops in operation with a force thus diminished and disorganized, the next day those

remaining were necessarily laid off, and no work has since been done in the shops.

The pay-rolls at the time amounted to about $7,000 a day, and were reduced $5,500 by the strike, so that during the period of a little more than six weeks which has elapsed the employes who quit their work have deprived themselves and their comrades of earnings of more than $200,000. . . .

While deploring the possibility of annoyance to the public by the threats of irresponsible organizations to interrupt the orderly ministration to the comfort of travelers on railway lines aggregating 125,000 miles in length, the Pullman company can do no more than explain its situation to the public. It has two separate branches of business, essentially distinct from each other. One is to provide sleeping cars, which are delivered by it under contract to the various railway companies, to be run by them on their lines as a part of their trains for the carriage of passengers, over the movements of which this company has no control. . . . The other, and a distinct branch of the business of the Pullman company, is the manufacture of sleeping cars for the above-mentioned use of railway companies, and the manufacture for sale to railway companies of freight cars and ordinary passenger cars, and of street cars, and this business is almost at a standstill throughout the United States.

The business of manufacturing cars for sale gives employment to about 70% of the shop employes. The manufacture of sleeping cars for use by the railway companies under contract gives employment to about 15% of the shop employes. . . .

It is now threatened by the American Railway Union officials that railway companies using Pullman sleeping cars shall be compelled to deprive their passengers of sleeping-car accommodations, unless the Pullman company will agree to submit to arbitration the question as to whether or not it shall open its manufacturing shops at Pullman and operate them under a scale of wages which would cause a daily loss to it of one-fourth the wages paid.

The economic aspect of the strike, however, was not the only one, nor perhaps even the chief one. Early in

July, after the mob in Chicago had begun the destruction of railroad property, President Cleveland, in accordance with the authority given him by the laws of the United States,[1] ordered federal troops to the scene of action to preserve order. The controversy which arose between President Cleveland and Governor Altgeld of Illinois over this procedure is described by the former in his article, "The Government in the Chicago Strike of 1894":

I must not fail to mention here as part of the history of this perplexing affair, a contribution made by the governor of Illinois to its annoyances. This official not only refused to regard the riotous disturbances within the borders of his State as a sufficient cause for an application to the Federal Government for its protection "against domestic violence" under the mandate of the Constitution,[2] but he actually protested against the presence of Federal troops sent into the State upon the General Government's own initiative and for the purpose of defending itself in the exercise of its well-defined legitimate functions.

On the 5th day of July, twenty-four hours after our soldiers had been brought into the city of Chicago, pursuant to the order of July 3d, I received a long despatch from Governor Altgeld, beginning as follows:

I am advised that you have ordered Federal troops to go into service in the State of Illinois. Surely the facts have not been correctly

[1] Section 5298 of the Revised Statutes of the United States reads: "Whenever, by reason of unlawful obstructions, combinations or assemblages of persons, or rebellion against the authority of the United States, it shall become impracticable in the judgment of the President to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all of the States, and to employ such parts of the land or naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly oppressed or the execution thereof be forcibly obstructed."

[2] Constitution, Article IV, sect. IV.

presented to you in this case or you would not have taken the step; for it is entirely unnecessary, and, as it seems to me, unjustifiable. Waiving all question of courtesy, I will say that the State of Illinois is not only able to take care of itself, but it stands ready today to furnish the Federal Government any assistance it may need elsewhere.

This opening sentence was followed by a lengthy statement which so far missed actual conditions as to appear irrelevant and, in some parts, absolutely frivolous. This remarkable despatch closed with the following words:

As Governor of the State of Illinois, I protest against this and ask the immediate withdrawal of Federal troops from active duty in this State. Should the situation at any time get so serious that we cannot control it with State forces, we will promptly and freely ask for Federal assistance; but until such time I protest with all due deference against this uncalled-for reflection upon our people, and again ask for the immediate withdrawal of these troops.

Immediately upon receipt of this communication, I sent to Governor Altgeld the following reply:

Federal troops were sent to Chicago in strict accordance with the Constitution and the laws of the United States, upon the demand of the Post-Office Department that obstructions of the mails should be removed, and upon the representation of the judicial officers of the United States that process of the Federal courts could not be executed through ordinary means, and upon abundant proof that conspiracies existed against commerce between the States. To meet these conditions, which are clearly within the province of Federal authority, the presence of Federal troops in the city of Chicago was deemed not only proper but necessary; and there has been no intention of thereby interfering with the plain duty of the local authorities to preserve the peace of the city.

In response to this the governor, evidently unwilling to allow the matter at issue between us to rest without a renewal of argument and protest, at once addressed to me another long telegraphic communication, evidently intended to be more severely accusatory and insistent than its predecessor. Its general tenor may be inferred from the opening words:

Your answer to my protest involves some startling conclusions, and ignores and evades the question at issue — that is, that the principle of local fundamental self-government is just as fundamental in our institutions as is that of Federal supremacy. You calmly assume that the Executive has the legal right to order Federal troops into any community of the United States in the first instance, wherever there is the slightest disturbance, and that he can do this without any regard to the question as to whether the community is able to and ready to enforce the law itself.

After a rather dreary discussion of the importance of preserving the rights of the States, and a presentation of the dangers to constitutional government that lurked in the course that had been pursued by the general Government, this communication closed as follows:

Inasmuch as the Federal troops can do nothing but what the State troops can do there, and believing that the State is amply able to take care of the situation and to enforce the law, and believing that the ordering out of the Federal troops was unwarranted, I again ask their withdrawal.

I confess that my patience was somewhat strained when I quickly sent the following despatch in reply to this communication:

Executive Mansion
Washington D.C., July 6, 1894

While I am still persuaded that I have neither transcended my authority nor duty in the emergency that confronts us, it seems to me that in this hour of danger and public distress, discussion may well give way to active efforts on the part of all in authority to restore obedience to law and to protect life and property.

Grover Cleveland

Hon. John P. Altgeld
Governor of Illinois

This closed a discussion which in its net results demonstrated how far one's disposition and inclination will lead him astray in the field of argument.

Early in June, 1895, Richard Olney of Massachusetts succeeded W. Q. Gresham as Secretary of State in Cleveland's cabinet, and, at the President's suggestion, prepared

an energetic statement of our claim to compel Great Britain, in the name of the Monroe Doctrine, to arbitrate its long-standing dispute with Venezuela over the boundary of British Guiana. Olney's message, dated at Washington, July 20, 1895, was delivered by Ambassador Bayard to Lord Salisbury, the British prime minister, on August 7. After outlining the history of the boundary dispute since 1840, Secretary Olney continues:

114. Twisting the British lion's tail: the Venezuela affair, 1895

[566]

The important features of the existing situation, as shown by the foregoing recital, may be briefly stated:—

1. The title to territory of indefinite but confessedly very large extent is in dispute between Great Britain on the one hand and the South American Republic of Venezuela on the other.

2. The disparity in strength of the claimants is such that Venezuela can hope to establish her claim only through peaceful methods — through an agreement with her adversary either upon the subject itself or upon an arbitration.

3. The controversy with varying claims on the part of Great Britain has existed for more than a half-a-century, during which period many earnest and persistent efforts of Venezuela to establish a boundary by agreement have proved unsuccessful.

4. The futility of the endeavor to obtain a conventional line being recognized, Venezuela, for a quarter of a century, has asked and striven for arbitration.

5. Great Britain however has always and continuously refused, and still refuses, to arbitrate except upon the condition of a renunciation of a large part of the Venezuelan claim, and of a concession to herself of a large share of the territory in controversy.

6. By the frequent interposition of its good offices at the instance of Venezuela, by constantly urging and promoting the restoration of diplomatic relations between the two countries, by pressing for arbitration of the disputed boundary, by offering to act as arbitrator, by expressing its grave concern whenever new alleged instances of British aggression of Venezuelan territory have been brought to its notice, the Government of the

United States has made it clear to Great Britain and to the world that the controversy is one in which both its honor and its interests are involved, and the continuance of which it cannot regard with indifference. . . .

Those charged with the interests of the United States are now forced to determine exactly what those interests are and what course of action they require . . . to decide to what extent, if any, the United States may and should intervene in a controversy between and primarily concerning only Great Britain and Venezuela, and to decide how far it is bound to see that the integrity of Venezuelan territory is not impaired by the pretensions of its powerful antagonist. . . .

The Monroe doctrine . . . does not establish any general Protectorate by the United States over other American States. It does not relieve any American State from its obligations as fixed by international law nor prevent any European power directly interested from enforcing such obligations or from inflicting merited punishment for the breach of them. . . . The rule in question has but a single purpose and object. It is that no European power or combination of European powers shall forcibly deprive an American State of the right and power of self-government and of shaping for itself its own political fortunes and destinies. . . .

It is manifest that if a rule has been openly and uniformly declared and acted upon by the Executive Branch of the Government for more than seventy years without express repudiation by Congress, it must be conclusively presumed to have its sanction. . . . It rests upon facts and principles that are both intelligible and incontrovertible. . . . Europe, as Washington observed, has a set of primary interests which are peculiar to herself. America is not interested in them, and ought not to be vexed or complicated with them. Each great European power, for instance, today maintains enormous armies and fleets in self-defence, and for protection against any other European Power or Powers. What have the United States of America to do with that condition of things, or why should they be impoverished by wars or preparations for wars with whose causes or results they can have no direct concern? . . .

The people of the United States have learned in the school of experience to what extent the relations of States to each other depend not upon sentiment nor principle, but upon selfish interest. They will not soon forget that in their hour of distress all their anxieties and burdens were aggravated by the possibility of demonstrations against their national life on the part of Powers with whom they had long maintained the most harmonious relations. . . .

Today the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition. Why? . . . It is because, in addition to all other grounds, its infinite resources combined with its isolated position render it master of the situation and practically invulnerable as against any or all other powers. . . . The advantages of this superiority are at once imperilled if the principle be admitted that European powers may convert American States into colonies or provinces of their own. . . .

The territory which Great Britain insists shall be ceded to her as a condition of arbitrating her claim to other territory has never been admitted to belong to her. It has always and consistently been claimed by Venezuela. Upon what principle — except her feebleness as a nation — is she to be denied the right of having the claim heard and passed upon by an impartial Tribunal? No reason or shadow of reason appears in all the voluminous literature of the subject. "It is to be so because I will it to be so" seems to be the only justification Great Britain offers. . . .

In these circumstances, the duty of the President appears to him unmistakable and imperative. Great Britain's assertion of a title to the disputed territory, combined with her refusal to have that title investigated, being a substantial appropriation of that territory to her own use, not to protest . . . would be to ignore an established policy [the Monroe Doctrine] with which the honor and welfare of this country are closely identified. While the measures necessary or proper for the vindication of that policy are to be determined by another branch of the Government,[1] it is clearly for the Executive to leave nothing undone which may tend to render such determination unnecessary.

[1] A veiled threat of war, in reference to the powers of Congress, enumerated in Article I, Sect. VIII, par. 10–13, of the Constitution.

You are instructed, therefore, to present the foregoing views to Lord Salisbury. . . . They call for a definite decision upon the point whether Great Britain will consent or will decline to submit the Venezuelan boundary question in its entirety to impartial arbitration. It is the earnest hope of the President that the conclusion will be on the side of arbitration. . . . If he is to be disappointed in that hope, however — a result not to be anticipated, and in his judgment calculated to greatly embarrass the future relations between this country and Great Britain — it is his wish to be made acquainted with the fact at such early date as will enable him to lay the whole subject before Congress in his next Annual Message,

I am etc.

Richard Olney

The reply to Olney's message was sent by Lord Salisbury to Sir Julian Pauncefote, British ambassador at Washington, on November 26, 1895, too late to furnish President Cleveland with material for his annual message to Congress the first week in December. The British premier's note was a polite but firm rejection of Olney's claims. In the course of the dispatch Lord Salisbury said:

The contentions set forth by Mr. Olney . . . are represented by him as being an application of the political maxims which are well known in American discussion under the name of the Monroe doctrine. As far as I am aware, this doctrine has never been before advanced on behalf of the United States in any written communication addressed to the Government of another nation; but it has been generally adopted and assumed as true by many eminent writers and politicians in the United States. . . . But during the period that has elapsed since the Message of President Monroe was delivered in 1823, the doctrine has undergone a very notable development, and the aspect which it now presents in the hands of Mr. Olney differs widely from its character when it first issued from the pen of its author. . . . The dangers which were apprehended by President Monroe

have no relation to the state of things in which we live at the present day. There is no danger of any Holy Alliance imposing its system upon any portion of the American Continent, and there is no danger of any European State treating any part of the American Continent as a fit object for European colonization. . . . Great Britain is imposing no "system" upon Venezuela, and is not concerning herself in any way with the nature of the political institutions under which the Venezuelans may prefer to live. But the British Empire and the Republic of Venezuela are neighbors, and they have differed for some time past, and continue to differ, as to the line by which their dominions are separated. It is a controversy with which the United States have no apparent practical concern. . . .

The Government of the United States . . . lay down that the doctrine of President Monroe . . . confers on them the right of demanding that when a European Power has a frontier difference with a South American community, the European Power shall consent to refer that controversy to arbitration; and Mr. Olney states that unless Her Majesty's Government accede to this demand, it will "greatly embarrass the future relations between Great Britain and the United States."

Whatever may be the authority of the doctrine laid down by President Monroe, there is nothing in his language to show that he ever thought of claiming this novel prerogative for the United States. . . . [Arbitration] has proved itself valuable in many cases; but it is not free from defects. . . . It is not always easy to find an Arbitrator who is competent, and who at the same time is wholly free from bias; and the task of insuring compliance with the Award when it is made is not exempt from difficulty. . . .

In the remarks which I have made, I have argued on the theory that the Monroe doctrine in itself is sound. I must not, however, be understood as expressing any acceptance of it on the part of Her Majesty's Government. It must always be mentioned with respect, on account of the distinguished statesman to whom it is due, and the great nation who have generally adopted it. But international law is founded on the general consent of nations; no statesman, however eminent, and no nation, however powerful, are competent to insert into the code of

international law a novel principle. . . . The United States have a right, like any other nation, to interpose in any controversy by which their own interests are affected; they are the judge whether those interests are touched, and in what measure they should be sustained. But their rights are in no way strengthened or extended by the fact that the controversy affects some territory which is called American. . . . The Government of the United States is not entitled to affirm as a universal proposition, with reference to a number of independent States for whose conduct it assumes no responsibility, that its interests are necessarily concerned in whatever may befall those States simply because they are situated in the Western Hemisphere. . . .

President Cleveland sent Olney's dispatch and Lord Salisbury's reply to Congress on December 17, 1895, accompanied by a vigorous message, which was hailed with enthusiasm by half the nation as a brave assertion of our national honor, and deplored by the other half as a piece of blustering jingoism, whose only effect would be to raise a horrid war cloud to spoil the bright holiday season. After stating Lord Salisbury's position on the Monroe Doctrine, Cleveland said:

Without attempting extended argument in reply to these positions, it may not be amiss to suggest that the doctrine upon which we stand is strong and sound, because its enforcement is important to our peace and safety as a nation, and is essential to the integrity of our free institutions and the tranquil maintenance of our distinctive form of government. It was intended to apply to every stage of our national life, and cannot become obsolete while our Republic endures. If the balance of power is justly a cause for jealous anxiety among the governments of the Old World and a subject for our absolute non-interference, none the less is the observance of the Monroe Doctrine of vital concern to our people and their Government. . . .

It will be seen from the correspondence herewith submitted that this proposition [of arbitration] has been declined by the

British Government upon grounds which in the circumstances seem to me to be far from satisfactory. It is deeply disappointing that such an appeal, actuated by the most friendly feelings towards both nations directly concerned, addressed to the sense of justice and to the magnanimity of one of the great powers of the world, and touching its relations to one comparatively weak and small, should have produced no better results.

The course to be pursued by this Government in view of the present condition does not appear to admit of serious doubt. Having labored faithfully for many years to induce Great Britain to submit their dispute to impartial arbitration, and having been finally apprised of her refusal to do so, nothing remains but to accept the situation, to recognize its plain requirements, and deal with it accordingly. . . . Assuming that the attitude of Venezuela will remain unchanged, the dispute has reached such a stage as to make it now incumbent upon the United States to take measures to determine with sufficient certainty for its justification what is the true divisional line between the Republic of Venezuela and British Guiana. The inquiry to that end should, of course, be conducted carefully and judicially; and due weight should be given to all available evidence, records, and facts in support of the claims of both parties.[1] . . .

When such report is made and accepted, it will, in my opinion, be the duty of the United States to resist by every means in its power, as a wilful aggression upon its rights and interests, the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which after investigation we have determined of right belongs to Venezuela.

In making these recommendations I am fully alive to the responsibility incurred, and keenly realize all the consequences that may follow.

I am, nevertheless, firm in my conviction that while it is a grievous thing to contemplate the two great English-speaking

[1] In accordance with the president's recommendation, Congress passed a law on December 21, authorizing the appointment of a commission to investigate the true boundary line and appropriating $100,000 for the expenses of the commission. For the work of the commission see Muzzey, An American History, p. 567.

peoples of the world as being otherwise than friendly competitors in the onward march of civilization, and strenuous and worthy rivals in all the arts of peace, there is no calamity which a great nation can invite which equals that which follows a supine submission to wrong and injustice, and the consequent loss of national self-respect and honor, beneath which are shielded and defended a people's safety and greatness.

We conclude this section with two comments of the British press on the message just quoted, the first (*a*) from *The Saturday Review* (weekly) of December 21, 1895; the second (*b*) from *The National Review* (monthly) of January, 1896.

(*a*)

President Cleveland's second Message to Congress, in answer to Lord Salisbury, is handled in another column as a fair specimen of "American Election Literature." We wish to draw attention here to the fact that Lord Salisbury's answer to Mr. Secretary Olney was not only not provocative, but eminently conciliatory. Lord Salisbury went so far as to accept the Monroe Doctrine in exactly the form in which, according to Mr. Goldwin Smith, it is held by the majority of Americans; he expressed his full agreement in the view "that any disturbance of the existing territorial distribution in the Western hemisphere by any fresh acquisition on the part of any European State would be a highly inexpedient change." It has been admitted by several of the more serious American journals,[1] that President Cleveland's Message in reply is not only unjustifiably arrogant, but hostile in tone to a degree almost without precedent in diplomatic communications.

The truth of the matter is that President Cleveland, having at length realized that his tariff-policy had cost the Democratic party New Jersey and Kentucky, resolved to win the support of the Irish and Jingoes in the United States by twisting the

[1] Notably the *Evening Post*, the *New York World*, the *New York Herald*, and the *Boston Herald*.

British lion's tail. Unluckily the Republican Senators drew him into a declaration of "spirited foreign policy" six months too soon. His Message is already being ridiculed with impartial criticism. The London Stock Exchange has shown an exact and humorous appreciation of the situation by telegraphing to the New York Stock Exchange its hope that in the event of hostilities between the two countries the British warships would not have their movements interfered with by irresponsible excursion steamers issuing from New York and other ports. The New York Exchange, we understand, has replied to the effect that they hope that our warships are better than our yachts.[1] In fine, the sensible people on both sides of the water have recognized that President Cleveland has played Dogberry to no purpose. He has written himself down an ass, and that is about all he has accomplished.

(*b*)

It is unnecessary to say that the dominating event of the past month has been President Cleveland's stupefying effort to plunge the two great branches of the Anglo-Saxon race into a bloody war. At the time of writing it is uncertain whether he will succeed or not; now-a-days we find ourselves one moment in a tornado of sensational excitement, and the next in an almost enervating calm; and it may be that by the time these pages are in the reader's hands, affairs will have resumed a comparatively normal condition and the Americans will have recovered their sense of proportion. On the other hand it is just conceivable that Mr. Cleveland might strike a popular chord of hatred to England. The people of whom he is the official mouthpiece may be weary of peace and progress, and, having selected something "cheap" to run into, are prepared to embark on an adventure against the British Empire. In any case a grave situation has been created, and with all the goodwill in the world — and we have not as a nation been unmindful of our kinship to the American people, from whom we have pocketed

[1] Referring to the repeated attempts of the British yachts to "lift" the American cup in the races in New York Bay.

affronts that we should not have tolerated at the hands of any other country, and which none of the older members of the company of nations would offer one another unless war were intended — the incident, if it retains the modest dimensions of an "incident," cannot but affect the cordiality of our future relations with the United States. . . .

For the moment it is irrelevant to examine the merits of the dispute; let us assume that Venezuela is right on every point, and that the colony's [Guiana's] claim is a spurious one, which Lord Salisbury has adduced untenable arguments to support. Still the amenities of international intercourse among civilized nations are held to preclude recourse to public menace until every form of diplomatic expostulation has been exhausted. The disheartening aspect of this document to all who labor to strengthen the ties between English-speaking peoples lies in the fact that a popularity-seeking President of great experience in gauging the opinion of his countrymen, should think it worth while to read the United States out of the comity of nations in order to obtain the anti-English vote.

115. Bryan's "cross of gold" speech, July 9, 1896 [568]

The chief issue before the National Democratic Nominating Convention of 1896 at Chicago was the free coinage of silver at the ratio of 16 to 1. The majority report on the platform favored the measure, but a strong minority report, supporting the single gold standard was ably supported by Senator Hill of New York, Senator Vilas of Wisconsin, and ex-Governor Russell of Massachusetts. The debate was closed by the Honorable William J. Bryan of Nebraska, with an ardent speech in favor of free silver, which won him the Democratic nomination for the presidency and brought him into the prominent position in American politics which he has occupied now for twenty years.

Mr. Chairman and Gentlemen of the Convention:

I would be presumptuous, indeed, to present myself against the distinguished gentlemen to whom you have listened if this

were a mere measuring of abilities; but this is not a contest between persons. The humblest citizen in all the land, when clad in the armor of a righteous cause, is stronger than all the hosts of error. I come to speak to you in defense of a cause as holy as the cause of liberty — the cause of humanity.

With a zeal approaching the zeal which inspired the crusaders who followed Peter the Hermit, our silver Democrats went forth from victory to victory until they are now assembled, not to discuss, not to debate, but to enter up the judgment already rendered by the plain people of this country. . . .

When you (turning to the gold delegates) come before us and tell us that we are about to disturb your business interests, we reply that you have disturbed our business interests by your course. We say to you that you have made the definition of a business man too limited in its application. The man who is employed for wages is as much a business man as his employer; the attorney in a country town is as much a business man as the corporation counsel in a great metropolis; the merchant at the cross-roads store is as much a business man as the merchant of New York; the farmer who goes forth in the morning and toils all day — who begins in the spring and toils all summer — and who by the application of brain and muscle to the natural resources of the country creates wealth, is as much a business man as the man who goes upon the board of trade and bets upon the price of grain; the miners who go down a thousand feet into the earth, or climb two thousand feet upon the cliffs, and bring forth from their hiding places the precious metals to be poured into the channels of trade are as much business men as the few financial magnates who, in a back room, corner the money of the world. We come to speak for this broader class of business men. . . .

We do not come as aggressors. Our war is not a war of conquest; we are fighting in the defense of our homes, our families, and posterity. We have petitioned, and our petitions have been scorned; we have entreated, and our entreaties have been disregarded; we have begged, and they have mocked when our calamity came. We beg no longer; we entreat no more; we petition no more. We defy them. . . .

We say in our platform that we believe that the right to coin and issue money is a function of our government. We believe it. We believe that it is a part of sovereignty, and that it can no more with safety be delegated to private individuals than . . . the power to make penal statutes or levy taxes. Mr. Jefferson, who was once regarded as good Democratic authority, seems to have differed in opinion from the gentleman [Senator Vilas] who has addressed us on the part of the minority. Those who are opposed to this proposition tell us that the issue of paper money is a function of the bank, and that the Government ought to go out of the banking business. I stand with Jefferson rather than with them, and tell them, as he did, that the issue of money is a function of government, and that the banks ought to go out of the governing business. . . .

And now, my friends, let me come to the paramount issue. If they ask us why it is that we say more on the money question than we say upon the tariff question, I reply that, if protection has slain its thousands, the gold standard has slain its tens of thousands. If they ask us why we do not embody in our platform all the things that we believe in, we reply that when we have restored the money of the Constitution all other necessary reforms will be possible; but that until this is done there is no other reform that can be accomplished. . . .

Mr. Carlisle said in 1878 that this was a struggle between "the idle holders of idle capital" and "the struggling masses who produce the wealth and pay the taxes of the country"; and, my friends, the question we are to decide is: Upon which side will the Democratic party fight? . . . That is the question which the party must answer first, and then it must be answered by each individual hereafter. The sympathies of the Democratic party, as shown by the platform, are on the side of the struggling masses who have ever been the foundation of the Democratic party. There are two ideas of government. There are those who believe that, if you will only legislate to make the well-to-do prosperous, their prosperity will leak through on those below. The Democratic idea, however, has been that if you legislate to make the masses prosperous, their prosperity will find its way up through every class which rests upon them.

You come to us and tell us that the great cities are in favor of the gold standard; we reply that the great cities rest upon our broad and fertile prairies. Burn down your cities and leave our farms, and your cities will spring up again as if by magic; but destroy our farms and the grass will grow in the streets of every city in the country.

My friends, we declare that this nation is able to legislate for its own people on every question, without waiting for the aid or consent of any other nation on earth; and upon that issue we expect to carry every State in the Union. I shall not slander the inhabitants of the fair State of Massachusetts nor the inhabitants of the State of New York by saying that, when they are confronted with the proposition, they will declare that this nation is not able to attend to its own business. It is the issue of 1776 over again. Our ancestors, when but three millions in number, had the courage to declare their political independence of every other nation; shall we, their descendants, when we have grown to seventy millions, declare that we are less independent than our forefathers? No, my friends, that will never be the verdict of our people. Therefore we care not upon what lines the battle is fought. If they say bimetallism is good, but that we cannot have it until other nations help us, we reply that, instead of having a gold standard because England has, we will restore bimetallism, and then let England have bimetallism because the United States has it. If they dare to come out in the open field and defend the gold standard as a good thing, we will fight them to the uttermost. Having behind us the producing masses of this nation and the world, supported by the commercial interests, the laboring interests, and the toilers everywhere, we will answer their demand for a gold standard by saying to them: You shall not press down upon the brow of labor this crown of thorns, you shall not crucify mankind upon a cross of gold!

CHAPTER XX

ENTERING THE TWENTIETH CENTURY

The Spanish War and the Philippines

116. The case against imperialism

[583]

The Spanish War of 1898 and the consequent subjugation of the Philippine Islands were, in the opinion of a great many people in our country, prompted by an unworthy desire to extend our markets and an unholy zeal to depart from the principles of the Declaration of Independence and ape imperialistic Britain in dominating the "inferior races" of the Orient. In an editorial entitled "At the Bar of History," the *Nation* of July 4, 1901, maintained that President McKinley had weakly allowed Congress to bully him into an unjust war.

> After keeping us for more than three years in the dark, the Administration has at last deigned to publish the diplomatic correspondence leading up to the war with Spain.[1] This was at first promised in connection with the President's war message of April 11, 1898; but on second thought, it was stated, Mr. McKinley determined that it would not be "prudent" to give out the documents at that time. As we read them now, it is easy to agree that it would have been a piece of terrible imprudence to give them to the world then, since they prove that the war was needless. This tardy publication of the dispatches makes it impossible to deny what, in fact, Minister Woodford, Senator Hoar, and Hon. George S. Boutwell openly asserted in 1898, that there would have been no war but for the violence of Congress and the weakness of the President.

[1] House Documents, 55th Congress, 3d session, Vol. I, No. 1, President's Message and Foreign Relations, 1898, pp. 558–1085.

From the official correspondence we learn the truth of the statement made by Mr. Boutelle in explanation of his vote against the war — namely, that "Spain had conceded nearly every one of our demands, and seemed plainly disposed to meet them all," so that, but for the insane fury of Congress, before which Mr. McKinley fell terrorized, we should, as Minister Woodford said publicly in Boston in October, 1898, have seen the Spanish flag leave Cuba "without the firing of a shot or the loss of a life."

The proof is very simple. It lies on the face of the dispatches. Passing by all the preliminaries, we find Secretary [of State] Day, on March 27, 1898, telegraphing instructions to Minister Woodford [at Madrid] to make three demands:

"First, Armistice until Oct. 1. Negotiations meantime looking for peace between Spain and insurgents through friendly offices of President United States.

Second, Immediate revocation of reconcentrado order.[1] . . . Add, if possible,

Third, If terms of peace not satisfactorily settled by October 1, President of the United States to be final arbiter between Spain and insurgents. . . ."[2]

Now, what followed? On March 31 the reconcentrado order was revoked and a special credit of 3,000,000 pesetas put at the disposal of Governor-General Blanco to care for the homeless Cubans. There was our demand number two promptly complied with. The offer to concede demand number one was cabled by

[1] This famous order, converting a large part of Cuba into a camp, was issued by General Valeriano Weyler, from Havana, February 16, 1896.

ARTICLE I. All inhabitants of the district of . . . and the provinces of . . . will have to concentrate in places which are the headquarters of a division . . . within eight days of the publication of this proclamation in the municipalities.

ARTICLE II. To travel in the country in the radius covered by the columns in operation, it is absolutely indispensable to have a pass. . . . Any one lacking this will be detained and sent to headquarters of divisions or brigades, and thence to Havana, at my disposition, by the first possible means.

ARTICLE III. All owners of commercial establishments in the country districts will vacate them. . . .

ARTICLE IV. All passes hitherto issued become null and void. — Senate Documents, Vol. XXV, 56th Congress, 2d session, Part VII, p. 883.

[2] House Documents, 55th Congress, 3d session, Vol. I, No. 1, pp. 711–712.

Minister Woodford on April 5. It is the critical dispatch of the whole volume, and its suppression till now certainly shows an extraordinary degree of "prudence," and possibly something else, in the President. We publish it in full, and we ask for it the careful attention of those clergymen and church people who were driving Congress on to war.

"Should the Queen proclaim the following before 12 o'clock noon of Wednesday, April 6, will you sustain the Queen, and can you prevent hostile action by Congress?

At the request of the Holy Father, in this Passion Week, and in the name of Christ, I proclaim immediate and unconditional suspension of hostilities in the Island of Cuba. This suspension is to become immediately effective, so soon as accepted by the insurgents in that island, and is to continue for the space of six months, to the 5th day of October, 1898. I do this to give time for passions to cease, and in the sincere hope and belief that, during this suspension, permanent and honorable peace may be obtained between the Insular Government of Cuba and those of my subjects in that island who are now in rebellion against the authority of Spain. . . .

Please read this in the light of all my previous telegrams and letters. I believe that this means peace, which the sober judgment of our people will approve long before next November, and which must be approved at the bar of final history. . . . I dare not reject this last chance for peace. I will show your reply to the Queen in person, and I believe that you will approve this last conscientious effort for peace."[1]

What could be more moving, more pathetic, more like an unexpected messenger of peace to be greeted with devout thankfulness by all Christian hearts? But how did McKinley greet it? Why, he telegraphed Minister Woodford that he "highly appreciated the Queen's desire for peace," but that he could not "assume to influence the action of the American Congress." Yet, if an armistice were offered, he would "communicate that fact to Congress."[2] Yes, but how did he communicate it? Did he cite a syllable of the pious and exalted language of the Queen?

[1] House Documents, loc. cit. p. 734. [2] Ibid. p. 735.

Did he explain how the venerable head of the Catholic Church had exerted himself to prevent a wicked war? No, he simply added a couple of vague and cold paragraphs at the very end of his message. . . .

> Yesterday, and since the preparation of the foregoing message, official information was received by me that the latest decree of the Queen Regent of Spain directs Gen. Blanco, in order to prepare and facilitate peace, to proclaim a suspension of hostilities, the duration and details of which have not yet been communicated to me.
>
> This fact, with every other pertinent consideration, will, I am sure, have your just and careful attention in the solemn deliberations upon which you are about to enter. If this measure attains a successful result, then our aspirations as a Christian, peace-loving people will be realized. If it fails, it will be only another justification for our contemplated action.[1]

Congress, of course, paid not the slightest attention to this perfunctory tail-end of a message, all the previous trend and argument of which made for war. What the President should have done was to throw away the message which he had prepared, face the altered situation with an altered policy, and go boldly to Congress and the country with Woodford's dispatch, including the Queen's elevated proclamation. . . . He could have made peace certain. But, alas, the "stop-watch" of Congress was held on him, he had promised his alarmed and excited fellow-partisans to send in a war message and not let the Democrats win an advantage, and so "this last conscientious effort for peace," as Minister Woodford called it, this grandest opportunity that ever came to a Christian President, was miserably neglected, and the war ensued. . . .

Dewey's splendid victory in Manila Bay on May 1, 1898, and the occupation of Manila by the American troops on August 13, put an end to Spain's power in the Philippines. Dewey telegraphed to the Secretary of the Navy, October 14, 1898, as follows:

[1] J. D. Richardson, ed. Messages and Papers of the Presidents, Vol. X, p. 150.

It is important that the disposition of the Philippine Islands should be decided as soon as possible and a strong government established. . . . General anarchy prevails without the limits of the city and bay of Manila. Strongly probable that islands to the South will fall into the same state soon. . . . The natives appear unable to govern. Dewey [1]

Secretary Hay communicated this telegram to the five American peace commissioners at Paris. On October 25 the commissioners telegraphed to Secretary Hay their opinions concerning the retention of the Philippines. Three of the commissioners were for holding all the islands; the chairman, Mr. Day, would hold Luzon alone; and Senator Gray of Delaware was opposed to holding any of the islands. Senator Gray said:

The undersigned cannot agree that it is wise to take Philippines in whole or in part. To do so would be to reverse accepted continental policy of country, declared and acted upon throughout our history. Propinquity governs case of Cuba and Puerto Rico. Policy proposed introduces us into European politics and the entangling alliances against which Washington and all American statesmen have protested. It will make necessary a navy equal to the largest of powers, a greatly increased military establishment, immense sums for fortifications and harbors, multiplied occasions for dangerous complications with foreign nations, and increase burdens of taxation. Will receive in compensation no outlet for American labor in labor market already overcrowded and cheap, no area for homes for American citizens — climate and social conditions demoralizing to character of American youth. New and disturbing questions introduced into our politics, church question menacing. On the whole, instead of indemnity — injury. Undersigned cannot agree that any obligation incurred to insurgents is paramount to our manifest interests. Attacked Manila as part of legitimate war against Spain. If we had captured Cadiz and Carlists had helped us,

[1] House Documents, 55th Congress, 3d session, Vol. I, No. 1, p. 928.

we should not owe duty to stay by them at close of war. On contrary, interest and duty would require us to abandon both Manila and Cadiz. No place for colonial administration or government of subject people in American system.

So much from standpoint of interest. But even conceding all benefits claimed for annexation, we thereby abandon the infinitely greater benefit to accrue from acting the part of a great, powerful, and Christian nation; we exchange the moral grandeur and strength to be gained by keeping our word to nations of the world and by exhibiting a magnanimity and moderation in the hour of victory that became the advanced civilization we claim, for doubtful material advantages and shameful stepping down from high moral position boastfully assumed. We should set example in these respects, not follow in the selfish and vulgar greed for territory which Europe has inherited from mediæval times. Our declaration of war upon Spain was accompanied by a solemn and deliberate declaration of our purpose. Now that we have achieved all and more than our object, let us simply keep our word. . . . At the very least, let us adhere to President's instructions, and if conditions require the keeping of Luzon forego the material advantages claimed in annexing other islands — above all, let us not make a mockery of the injunction contained in those instructions, where, after stating that "we took up arms only in obedience to the dictates of humanity and in the fulfillment of high public and moral obligations," and that "we had no design of aggrandizement and no ambition of conquest," the President, among other things, eloquently says: "It is my earnest wish that the United States in making peace should follow the same high rule of conduct which guided it in facing war. It should be as scrupulous and magnanimous in the concluding settlement as it was just and human in its original action." This and more, of which I earnestly ask a reperusal, binds my conscience and governs my action.

[Signed] George Gray

The most scathing condemnation of the imperialistic policy was voiced by Mr. Moorfield Storey, a distinguished Boston lawyer, President of the American Bar Association

and later President of the Anti-Imperialist League, in a speech before the Bar Association of South Carolina at Columbia, June 16, 1903, entitled, "What shall we do with our Dependencies?"

Our country today exercises absolute power over more than 10,000,000 of human beings — Filipinos, Porto Ricans, Hawaiians — twice as many as the whole population of the United States a century ago. Our dominion has been established without consulting them, and against such resistance as they could make. They are not American citizens, nor are they likely to become such. They are governed by the President and Congress, but they have no voice in the choice of either. They have no recognized rights under our Constitution; and if the President by executive order or Congress by statute has granted to them any of the rights secured by the Constitution to all American citizens, they are merely privileges, which may be recalled at pleasure by a new order or a new statute. . . . In a word, no part of the government under which they live derives its powers from their consent. They are merely subjects of the United States, as absolutely without political rights as if they were subjects of Spain.[1]

The question which now confronts the American people, never to be settled "till it is settled right," is whether these conditions shall continue. What shall be our permanent policy toward these dependent peoples? No more important question ever engaged our attention; and we should consider it carefully and dispassionately, as Americans, and not as Republicans or Democrats, for we must all suffer alike the consequences of any mistake. . . . Above all, we must dare to look truth in the face. We gain nothing by deceiving ourselves. We cannot change the facts by refusing to see or hear them, nor will any misrepresentation of ours bend the laws which govern mankind and attach to our actions their inevitable consequences. If we cannot

[1] The grant of a national assembly to the Philippines a few years after Mr. Storey's address somewhat modified the conditions which he condemns here so absolutely. See Muzzey, An American History, p. 585.

justify what we have done and what we propose, let us at least be brave enough to admit it. . . .

Disguise it as we will, the claim of one people that it is superior to and therefore entitled to rule another rests upon no better moral foundation than the heathen maxim, "Might makes right." . . . If we concede that a civilized nation has the right to govern any people who are unfit to govern themselves, who shall decide that such unfitness exists? Can the decision safely be left to the stronger nation? Shall it be made by men who know nothing of the weaker people, who have never visited their country, who do not understand their language, their traditions, their character, or their needs? Shall it be made without hearing their representatives and learning all they can tell about their countrymen? Can we be sure that the judgment of the strong is not affected by appeals to national vanity, by apostrophes to the flag, by hopes of commercial advantage, by dreams of world power, by the exigencies of party politics, by personal ambitions . . . ?

By what standards is inferiority to be measured? . . . Does it not seem the height of presumption for us, in our ignorance, to claim that brown men are necessarily our inferiors, or that Asiatics, whose ideas govern the moral world, cannot govern themselves? Said James Russell Lowell: "When the moral vision of a man becomes perverted enough to persuade him that he is superior to his fellow, he is in reality looking up at him from an immeasurable distance beneath."

Let us proceed to a more important inquiry. If our new subjects cannot give themselves what we think a good government, are we likely to give them a better? Or is President Schurman right in saying, "Any decent government of the Filipinos by the Filipinos is better than the best possible government of Filipinos by Americans." Let us consider this question, bearing in mind certain fundamental principles.

First. Every government should exist solely for the benefit of the governed. . . .

Second. The object of every government should be to educate, develop, and elevate the people . . . not to develop mines,

increase commerce, and add to the world's wealth without regard to the people.

Third. In order to develop a people, their rulers must understand them and believe in them. . . . If a ruler feels contempt for his subjects, there is a mutual repulsion. . . .

Finally. Human experience has amply proved that no man can safely be trusted with absolute power. The struggle of men for freedom has ever been an attempt to create "a government of laws, and not of men." . . .

But we are confidently told that we have succeeded already. . . . Let us concede the triumph of our arms; but where shall we look for the triumph of our principles and our laws? . . . We have destroyed a large part of the Filipino people. General Bell said that in two years before May, 1901, "one sixth of the natives of Luzon have either been killed or had died of dengue fever." . . . We have laid waste their fields, we have destroyed both crops and cultivators, we have burned villages and towns, leaving the people homeless, we have adopted the reconcentration policy of General Weyler, and have borrowed mediæval tortures from Spain, in order to aid our policy of conquest. . . . We found 7,000,000 of people friendly and prosperous. We have reduced them to straits like these. We have destroyed more Filipino life and property in four years than Spain in her centuries of rule. Is this success?

We have sent to the islands nearly 125,000 of our citizens, many of whom have been killed, many more disabled by wounds and disease, many made insane, and a very large number so demoralized as to regard torture, reconcentration, and the slaughter of prisoners and non-combatants as right! Is this success?

We have spent hundreds of millions, drawn from the taxes of the people, on this war: and the end is not yet. . . . Is this success?

We have stricken down the first republican government ever established in Asia, and have turned millions of cordial friends into bitter enemies. Is this success?

Finally, we have abandoned the ideals and principles of liberty which we have cherished from our birth, and have

adopted the principles and practices of tyranny, which we have always condemned. Again I ask, Is this success?

We have proved abundantly the truth of Lincoln's words: "No man 's good enough to govern another without that other's consent." . . .

What do we gain? Commercial expansion. If the whole commerce of the Orient were offered us at such a price, had we the right to pay it? . . .

No, our policy has not succeeded. It has failed, and its failure is written in blood on every fold of the flag which we loved to call "the flag of the free." It is written on the fresh graves, the ruined homes, and the barren fields of the conquered islands. It is written in the sullen hearts of the Filipinos, who cannot but remember our cruelties, and, in the President's own words, "will for centuries remain alien and hostile to the conquerors." It is written also in the hardened hearts of our countrymen, who have forgotten their ideals and have learned to tolerate and to approve what they have always execrated. . . .

When Guizot asked Lowell how long our republic would last, he replied, "As long as the ideas of the men who founded it continue dominant." . . . We cannot destroy the ideals of the nation; we cannot insist that the Declaration of Independence is wrong; we cannot govern millions of men outside the Constitution; we cannot hold a single Filipino, like Mabini, a prisoner without trial or sentence, — and hope to preserve in full strength that faith in the equal rights of man which is the soul of this nation. . . .

The time will come, if this republic is to endure, when an overwhelming public sentiment will make itself felt, and we shall do what every true American in his heart would like to have his country do — give the Filipinos their freedom, and thus regain that proud position among the nations of the world which we have lost, the moral leadership of mankind, becoming again . . . the great nation . . . beneath whose flag, wherever it floats in this wide world, there is no room for a subject, but a sure refuge for every man who desires that freedom which is the birthright of every human being.

The Roosevelt Policies

117. The Hay–Bunau-Varilla Treaty, November 18, 1903

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The following text of the convention of 1903 between the United States and the new Republic of Panama for the construction of a ship canal through the Isthmus is taken from W. M. Malloy's "Treaties, Conventions, International Acts, Protocols, and Agreements between the United States and Other Powers," a compilation, in two large volumes, made in accordance with a resolution of the Senate, January 18, 1909. The Hay–Bunau-Varilla Treaty was ratified and proclaimed in February, 1904. In May, 1904, the "dirt began to fly" at Panama. Almost exactly ten years later the first ship passed through the Canal.

The United States of America and the Republic of Panama being desirous to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific Oceans, and the Congress of the United States of America having passed an act approved June 28, 1902, in furtherance of that object, by which the President of the United States is authorized to acquire within a reasonable time the control of the necessary territory of the Republic of Colombia, and the sovereignty of such territory being actually vested in the Republic of Panama, the high contracting parties have resolved for that purpose to conclude a convention and have accordingly appointed as their plenipotentiaries, —

The President of the United States, John Hay, Secretary of State, and

The Government of the Republic of Panama, Philippe Bunau-Varilla, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Panama, thereunto especially empowered by said government: who after communicating with each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles.

Article I. The United States guarantees and will maintain the independence of the Republic of Panama.

ARTICLE II. The Republic of Panama grants to the United States in perpetuity the use, occupation and control of a zone of land and land under water for the construction, maintenance, operation, sanitation and protection of said Canal, of the width of ten miles extending to the distance of five miles on each side of the center line of the route of Canal to be constructed . . . with the proviso that the cities of Panama and Colon and the harbors adjacent to said cities . . . shall not be included within this grant [see Article VII]

ARTICLE V. The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance, and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific Ocean.

ARTICLE VI. The grants herein contained shall in no manner invalidate the titles or rights of private landholders or owners of private property in the said zone. . . . All damages caused to the owners of private lands or private property of any kind by reason of the grants contained in this treaty or by reason of the operations of the United States . . . shall be appraised and settled by a joint Commission appointed by the governments of the United States and the Republic of Panama, whose decisions as to such damages shall be final, and whose awards as to such damages shall be paid solely by the United States. . . . The appraisal of such private lands and private property and the assessment of damages to them shall be based upon their value before the date of this convention.

ARTICLE VII. The Republic of Panama grants to the United States within the limits of the cities of Panama and Colon and their adjacent harbors and within the territory adjacent thereto the right to acquire by purchase or by the exercise of the right of eminent domain, any lands, buildings, water rights or other properties necessary and convenient for the construction . . . of the Canal, and of any works of sanitation, such as the collection and disposition of sewage and the distribution of water in the said cities of Panama and Colon. . . . All such works of sanitation . . . shall be made at the expense of the United States, and the Government of the United States . . . shall be authorized to

impose and collect water rates and sewerage rates which shall be sufficient to provide for the payment of interest and the amortization of the principal of the cost of said works within a period of fifty years, and upon the expiration of said term of fifty years the system of sewers and water works shall revert to and become the properties of the cities of Panama and Colon respectively. . . . The Republic of Panama agrees that the cities of Panama and Colon shall comply in perpetuity with the sanitary ordinances whether of a preventive or curative character prescribed by the United States. . . .

ARTICLE IX. The United States agrees that the ports at either entrance of the Canal and the waters thereof, and the Republic of Panama agrees that the towns of Panama and Colon shall be free for all time, so that there shall not be imposed or collected custom house tolls, tonnage . . . or taxes of any kind upon any vessel using or passing through the Canal . . . except such tolls and charges as may be imposed by the United States for the use of the Canal. . . . The United States shall have the right to make use of the towns and harbors of Panama and Colon as places of anchorage, and for making repairs, for loading, unloading, depositing, or transshipping cargoes either in transit or destined for the service of the Canal. . . .

ARTICLE X. The Republic of Panama agrees that there shall not be imposed any taxes national, municipal, departmental or of any other class upon the Canal . . . or railroad and auxiliary works, or their officers or employees situated within the cities of Panama and Colon. . . .

ARTICLE XI. The United States agrees that the official dispatches of the Government of the Republic of Panama shall be transmitted over any telegraph and telephone lines established for Canal purposes and used for public and private business at rates not higher than those required from officials in the service of the United States. . . .

ARTICLE XIV. As the price or compensation for the rights, powers and privileges granted in this convention by the Republic of Panama . . . the Government of the United States agrees to pay to the Republic of Panama the sum of ten million dollars ($10,000,000) in gold coin of the United States on the exchange

of the ratification of this convention and also an annual payment during the life of this convention of two hundred and fifty thousand dollars ($250,000) in like gold coin, beginning nine years after the date aforesaid. . . .

ARTICLE XVI. The two Governments shall make adequate provision by future agreement for the pursuit, capture, imprisonment, detention, and delivery within said zone and auxiliary lands to the authorities of the Republic of Panama of persons charged with the commitment of crimes, felonies or misdemeanors without said zone [and vice versa]. . . .[1]

ARTICLE XVIII. The Canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be opened upon the terms provided for by Section I of Article III . . . of the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.[2]

ARTICLE XIX. The Government of the Republic of Panama shall have the right to transport over the Canal its vessels and its troops and munitions of war in such vessels at all times without paying charges of any kind. . . .

ARTICLE XXIII. If it should become necessary at any time to employ armed forces for the safety or protection of the Canal . . . the United States shall have the right, at all times and in its discretion, to use its police and its land and naval forces or to establish fortifications for these purposes. . . .

[1] An extradition treaty in twelve articles was concluded May 25, 1904, between W. W. Russell, our chargé d'affaires in Panama, and Tomas Arias, secretary of the Panama government. It may be found in Malloy's "Treaties, Conventions," etc., Vol. II, pp. 1357–1361.

[2] The Hay-Pauncefote Treaty, rescinding the Clayton-Bulwer Treaty of 1850. The section in question reads: "The Canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable" (Malloy, Treaties . . . and Agreements between the United States and Other Powers, Vol. I, p. 783). It was in obedience to what he believed our pledged duty in this section that President Wilson secured from Congress in 1914 the repeal of the law of 1912 exempting United States vessels from toll charges when using the Canal in their coasting trade.

ARTICLE XXVI. This convention when signed by the Plenipotentiaries of the Contracting Parties shall be ratified by the respective Governments and the ratifications shall be exchanged at Washington at the earliest date possible. . . .

Done at the city of Washington the 18th day of November in the year of our Lord nineteen hundred and three.

JOHN HAY [seal]
P. BUNAU-VARILLA [seal]

118. Roosevelt's speech to the governors, May 13, 1908

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As early as March, 1891, Congress had passed a Conservation Act authorizing the President to withdraw from entry for public sale such tracts of forest lands as he saw fit, and Harrison, Cleveland, and McKinley had all availed themselves to some extent of this authorization. But Theodore Roosevelt was the first president to interest himself heartily and continuously in the policy of the conservation of our national resources. Addressing the Society of American Foresters on March 26, 1903, he said:

> Your attention must be directed to the preservation of the forests, not as an end in itself, but as a means of preserving the prosperity of the Nation. . . . In the arid regions of the West agriculture depends first of all upon the available water supply. In such a region forest protection alone can maintain the stream flow necessary for irrigation, and can prevent the great and destructive floods so ruinous to communities farther down the same streams.[1]

A little later he appointed an Inland Waterways Commission at the suggestion of Gifford Pinchot, chief of the National Forest Service. While engaged on a trip of inspection down the Mississippi River, from St. Paul to Memphis, October 1–4, 1907, this commission conceived the plan which was expressed to the President in the following letter:

[1] Proceedings of a Conference of Governors in the White House, 1908, p. v, Washington, Government Printing Office, 1909.

Oct. 3, 1907

The President

On board the U.S. Steamer *Mississippi.*

Sir: In the course of inquiries made under your direction "that the Inland Waterways Commission shall consider the relations of the streams to the use of all the great permanent natural resources and their conservation for the making and maintenance of prosperous homes," the members of the Commission have been led to feel that it would be desirable to hold a Conference on the general subject of the conservation of the natural resources of the Nation. Among the reasons for such a Conference are the following:

1. Hitherto our National policy has been one of almost unrestricted disposal of natural resources, and this in more lavish measure than in any other nation in the world's history; and this policy of the Federal Government has been shared by the constituent States. Three consequences have ensued: First, unprecedented consumption of natural resources; second, exhaustion of these resources to the extent that a large part of our available public lands have passed into great estates or corporate interests, our forests are so depleted as to multiply the cost of forest products, and our supplies of coal and iron ore are so far reduced as to enhance prices; and third, unequalled opportunity for private monopoly, to the extent that both the Federal and the State sovereignties have been compelled to enact laws for the protection of the People.

2. We are of the opinion that the time has come for considering the policy of conserving these material resources on which the permanent prosperity of our country and the equal opportunity of all our People must depend; we are also of opinion that the policy of conservation is so marked an advance on that policy adopted at the outset of our National career as to demand the consideration of both Federal and State sponsors for the welfare of the People.

3. We are of opinion that the Conference may best be held in the National Capital next winter, and that the conferees should comprise the Governors of all our States and Territories, a limited number of delegates to be appointed by each Governor,

and representatives from leading organizations of both State and National scope, engaged in dealing with National resources or with practical questions relating thereto.

We have the honor to ask that in case you concur in our view you call such a Conference.

Respectfully submitted

Theodore E. Burton, Chairman
W. J. McGee, Secretary

The President, in heartiest accord with the proposition, invited the governors of the states, each accompanied by three select citizens, to meet with the senators and representatives of the sixtieth Congress, the justices of the Supreme Court, and the members of the cabinet at the White House, May 13–15, 1908, to discuss the best method of conserving our national resources. The governors of thirty-eight states and territories, with their companions, and over a hundred specially invited guests attended the conference. President Roosevelt delivered the following speech at the opening session, May 13, 1908:

Governors of the Several States, and Gentlemen:

I welcome you to this Conference at the White House. You have come hither at my request, so that we may join together to consider the question of the conservation and use of the great fundamental sources of wealth of this Nation.

So vital is this question, that for the first time in our history the chief executive officers of the States separately, and of the States together forming the Nation, have met to consider it. It is the chief material question that confronts us, second only — and second always — to the great fundamental questions of morality. . . .

This Conference on the conservation of natural resources is in effect a meeting of the representatives of all the people of the United States called to consider the weightiest problem now before the Nation; and the occasion for the meeting lies in the fact that the natural resources of our country are in danger of

exhaustion if we permit the old wasteful methods of exploiting them longer to continue. . . .

In the development, the use, and therefore the exhaustion of certain of the natural resources, the progress has been more rapid in the last century and a quarter than during all preceding time of which we have record.

When the founders of this nation met at Independence Hall in Philadelphia the conditions of commerce had not fundamentally changed from what they were when the Phœnician keels first furrowed the lonely waters of the Mediterranean. . . . Mining was carried on fundamentally as it had been carried on by the Pharaohs in the countries adjacent to the Red Sea. . . . In 1776 the wares of the merchants of Boston, of Charleston, like the wares of the merchants of Nineveh and Sidon, if they went by water, were carried by boats propelled by sails or oars; if they went by land, were carried in wagons drawn by beasts of draft or in packs on the backs of beasts of burden. . . . In Washington's time anthracite coal was known only as a useless black stone; and the great fields of bituminous coal were undiscovered. . . . But a few small iron deposits had been found in this country, and the use of iron by our countrymen was very small. . . . The forests were regarded chiefly as obstructions to settlement and cultivation. The man who cut down a tree was held to have conferred a service on his fellows. . . . It is almost impossible for us in this day to realize how little our Revolutionary ancestors knew of the great store of natural resources whose discovery and use have been such vital factors in the growth and greatness of this Nation, and how little they needed to take from this store in order to satisfy their needs.

Since then our knowledge and use of the present territory of the United States have increased a hundred-fold. . . . Our growth has been due to the rapid development, and alas that it should be said! to the rapid destruction, of our natural resources. Nature has supplied to us in the United States, and still supplies to us, more kinds of resources in a more lavish degree than has ever been the case at any other time or with any other people. Our position in the world has been attained by the extent and thoroughness of the control we have achieved over

nature; but we are more, and not less, dependent upon what she furnishes than at any previous time of history since the days of primitive man. . . . We want to take action that will prevent the advent of a woodless age, and defer as long as possible the advent of an ironless age. . . .

This Nation began with the belief that its landed possessions were illimitable and capable of supporting all the people who might care to make our country their home; but already the limit of unsettled land is in sight, and indeed but little land fitted for agriculture now remains unoccupied save what can be reclaimed by irrigation and drainage — a subject with which this Conference is partly to deal. We began with an unapproached heritage of forests: more than half of the timber is gone. We began with coal fields more extensive than those of any other nation and with iron ores regarded as inexhaustible, and many experts now declare that the end of both iron and coal is in sight.

The mere increase in our consumption of coal during 1907 over 1906 exceeded the total consumption in 1876, the Centennial year . . . and we thought we were pretty busy people even then. The enormous stores of mineral oil and gas are largely gone. . . . Our natural waterways are not gone, but they have been so injured by neglect . . . that there is less navigation on them now than there was fifty years ago. Finally, we began with soils of unexampled fertility, and we have so impoverished them by injudicious use and by failing to check erosion, that their crop-producing power is diminishing instead of increasing. In a word, we have thoughtlessly, and to a large degree unnecessarily, diminished the resources upon which not only our prosperity but the prosperity of our children and our children's children must always depend. . . .

The natural resources I have enumerated can be divided into two sharply distinguished classes accordingly as they are or are not capable of renewal. Mines if used must necessarily be exhausted. The minerals do not and cannot renew themselves. Therefore in dealing with the coal, the oil, the gas, the iron, the metals generally, all that we can do is to try to see that they are wisely used. The exhaustion is certain to come in time.

We can trust that it will be deferred long enough to enable the extraordinarily inventive genius of our people to devise means and methods for more or less adequately replacing what is lost; but the exhaustion is sure to come.

The second class of resources consists of those which can not only be used in such manner as to leave them undiminished for our children, but can actually be improved by wise use. The soil, the forests, the waterways come in this category. Every one knows that a really good farmer leaves his farm more valuable at the end of his life than it was when he first took hold of it. So with the waterways. So with the forests. . . .

Neither the primitive man nor the pioneer was aware of any duty to posterity in dealing with the renewable resources. When the American settler felled the forests, he felt that there was plenty of forest left for the sons who came after him. When he exhausted the soil of his farm, he felt that his son could go West and take up another. . . . When the soil-wash from the farmer's field choked the neighboring river, the only thought was to use the railway rather than the boats to move produce and supplies. That was so up to the generation that preceded ours.

Now all this is changed. On the average the son of the farmer of today must make his living on his father's farm. There is no difficulty in doing this if the father will exercise wisdom. No wise use of a farm exhausts its fertility. So with the forests. We are on the verge of a timber famine in this country, and it is unpardonable for the Nation or the States to permit any further cutting of our timber save in accordance with a system which will provide that the next generation shall see the timber increased instead of diminished. . . .

We can, moreover, add enormous tracts of the most valuable possible agricultural land to the national domain by irrigation in the arid and semi-arid regions, and by drainage of great tracts of swamp land in the humid regions. We can enormously increase our transportation facilities by the canalization of our rivers so as to complete a great system of waterways on the Pacific, Atlantic, and Gulf coasts and in the Mississippi Valley, from the Great Plains to the Alleghenies and from the northern lakes to the mouth of the mighty Father of Waters. But all these

various uses of our natural resources are so closely connected that they should be coördinated and should be treated as part of one coherent plan and not in haphazard and piece-meal fashion. . . .

We are coming to recognize as never before the right of the Nation to guard its own future in the essential matter of natural resources. In the past we have admitted the right of the individual to injure the future of the Republic for his own present profit. In fact there has been a good deal of a demand for unrestricted individualism. . . . The time has come for a change. As a people we have the right and the duty . . . to protect ourselves and our children against the wasteful development of our natural resources, whether that waste is caused by the actual destruction of such resources or by making them impossible of development hereafter. . . .

Finally, let us remember that the conservation of our natural resources, though the gravest problem of today, is yet but part of another and greater problem to which this Nation is not yet awake, but to which it will awake in time, and with which it must hereafter grapple if it is to live — the problem of national efficiency, the patriotic duty of assuring the safety and continuance of the Nation. When the People of the United States consciously undertake to raise themselves as citizens, and the Nation and the States in their several spheres, to the highest pitch of excellence in private, State, and national life, and to do this because it is the first of all the duties of true patriotism, then and not till then the future of this Nation, in quality and in time, will be assured.

Present-Day Problems

119. The trusts: causes and remedies

[610]

An Industrial Commission of eighteen members was appointed by act of Congress, June 18, 1898, "to investigate questions pertaining to immigration, to labor, to agriculture, to manufacturing, to business, and to report to Congress and suggest such legislation as it may deem best upon these subjects." On December 4, 1901, the commission submitted to Congress a report of a thousand pages

on industrial corporations, chiefly composed of the testimony of officers of the trusts before the commission. From a summary of the evidence prefixed to the report the following paragraphs are taken:

It is clearly the opinion of most of those associated with industrial combinations that the chief cause of their formation has been excessive competition. Naturally all business men desire to make profits, and they find their profits falling off first through the pressure of lowering prices of their competitors. The desire to lessen too vigorous competition naturally brings them together. . . .

One or two of the witnesses considered the protective tariff as the chief cause of the trusts. They urged that high tariff duties, by shutting out foreign competition, make it easier for our manufacturers to combine to control prices, and they think that the experience of the last few years justifies the assertion. Likewise, they say, through the high profits that come from the exclusion of foreign competition by the tariff, capital has been attracted into industries here to so great an extent and with the expectation of so high profits, that home competition has been unduly stimulated, thereby leading to the formation of combinations.

Some other witnesses believe that the tariff, while not the most important cause, has, nevertheless, some influence toward encouraging combinations; while one witness, Mr. LaTaste, believes that the monopoly of natural opportunities, under our present system of taxation, is to be considered the fundamental cause.

Nearly all of the witnesses who have considered excessive competition as the chief cause do not agree that the tariff is to be looked on as a cause, nor as a rule do they concede that those engaged in the organization of combinations have any intention of securing a complete monopoly. It is, of course, true that the restriction of competition is a step towards monopoly, but competition has not been suppressed entirely, and they do not believe that monopoly has been or can be secured. In most cases they would deny that a monopoly was in any respect desirable. . . .

In case of the newer combinations in the United States[1] it has been found that practically all the important ones are put into the form of a single large corporation. In many cases the new corporation buys the individual plants which it seems desirable to combine and thus becomes a single owner of all the establishments. In other cases, and this is perhaps true especially with reference to the largest combinations, the stock of the constituent members is all bought by the single unifying company. The constituent companies then retain their organization intact, being controlled simply by the central corporation, as a stockholder, which can elect directors and officers at will and thus guide the management absolutely. . . .

It is quite a general custom for a syndicate to be organized of individuals, bankers and others, who furnish whatever cash may be needed to purchase the different plants entering the combination, and who agree to take a certain proportion, if not all, of the new stock which is not taken by the vendors of the plants and by the public. . . .

Several of the combinations which the Industrial Commission has been lately considering are able to control a very large portion of the entire output of the country, so that they have, perhaps, the power to effect [affect] prices. The National Cordage Company soon after its formation controlled probably from 60 to 70 per cent of the entire business. . . . The American Smelting and Refining Company before the union with the Guggenheimers controlled about 85 per cent of the entire smelting business of the country. Since that combination it has substantially all the trade. . . . The Pittsburg Coal Company controls the bulk of the lake trade in coal, although there is a little competition from southern Ohio and western Virginia. It is so situated that it can practically dictate the prices in its entire market. The United States Steel Corporation is made up of companies engaged in various lines of business, from mining to finishing the higher grades of steel. It is probable that at the present time it

[1] That is, the trusts formed since the Republican victory of 1896 and the Spanish War: rubber, cordage, plate glass, wall paper, tobacco, sugar refining, smelting, oil, steel and iron, copper, thread, baking powder, coal, starch, biscuit, chemicals, leather, whiskey, asphalt, etc.

controls between 65 and 75 per cent of the steel industry in the United States. . . . The International Paper Company produces, probably, at the present time about 1,300 tons per day out of an entire output for the United States of over 2,000 tons per day of news print paper. . . . Mr. Pitcairn, president of the Pittsburg Plate Glass Company, says that that combination produces about 72½ per cent of the plate glass product of this country. . . . The National Starch Company has also a large percentage of control, amounting to probably more than 90 per cent of the box starch used and a very large percentage of starch of other kinds. . . . Certain local companies, such as the Brooklyn Union Gas Company, being natural monopolies, have absolute control of the markets, but their prices are determined to a considerable extent by legislation. . . .

Speaking generally, the witnesses have been of the opinion that the effect of the combinations has been to increase wages, or, at any rate, that during the last two or three years under the combinations the wages have been somewhat higher than they had been before. It is acknowledged in many of these cases that this increase has been due to the prosperous condition of the country and to the fact that there has been a strong demand for labor. In most cases in the iron and steel manufacture, as well as in several other of the most important industries, the wages are arranged after consultation with the labor unions or with committees representing the employees, and a scale is agreed upon, in many cases this being a sliding scale dependent upon the price of the product. . . .

Most of the witnesses have recognized that there are certain disadvantages connected with most combinations. . . . Mr. Holt is of the opinion that the trusts form a very corrupting influence in politics, largely owing to the fact that they are protected by the tariff, and in consequence have found it advisable to send agents to Congress to dictate tariff legislation. He thinks also that they deceive the public regarding the nature of the business and of the business of the country through juggling with prices and statistics. Mr. Hillyer, as well as some other witnesses, thinks that the aggregation of power brought about through combination is a dangerous element and a menace to the political

independence of the people. Mr. Spalding endorses this opinion. He believes that it is natural for men to charge all that they can get. The combinations also, in his opinion, diminish individual effort and deprive the individual of the opportunity of rising. . . .

Of the later witnesses that have been heard, the larger number are of the opinion that comparatively few, if any, legislative remedies are needed. The witnesses whose inclinations are strongly toward free trade are of the opinion that the removal of the tariff on goods controlled by combinations would be the best . . . remedy. Most of the manufacturers object to having the tariff interfered with. . . .

More of the witnesses think that something could be gained in the way of greater publicity regarding the business of the combinations. For example, Mr. Campbell thinks that corporations whose stock is sold to the public on exchanges should be under Governmental control. He would be willing to have the regulation go even further than a mere publicity of accounts. Mr. White believes that the State has the right to say how the combinations should be regulated, and thinks it possible that some tax might ultimately be placed on what would be considered excessive earnings, the actual earnings to be found out by a complete system of Governmental inspection of accounts. . . .

Some of the witnesses speak distinctly against even any special degree of publicity. Mr. Schwab, for example, thinks that . . . though the stockholders are entitled to certain statements, even those should be somewhat limited. . . . Mr. Gunton advises that, if possible, the combinations be put under a national charter. . . . Mr. Hillyer [1] thinks that the Sherman law [of 1890] should be rigidly enforced, and that the tariff should be removed; that there should be Government ownership so far as municipal combinations are concerned; and, if necessary, the Government should itself ultimately go into the business of manufacturing the products manufactured by the trusts. He would be ready now to have the United States Government control the railroads, telegraphs, and long-distance telephones. . . .

[1] Messrs. Hillyer and Spalding were lawyers of Atlanta, Georgia, summoned to give testimony before the Industrial Commission. They were both hostile to the trusts.

Mr. Spalding thinks that the trusts are a national question; the remedy must be a national one. He believes that it is practicable to enact national legislation which will forbid any trust to put down prices so as to destroy competition or to put them up to a point of extortion. . . . He thinks that trusts might be abolished by Congress by a law similar to that which broke up the lottery business. They might be forbidden to use the mails or be forbidden to ship their products across State lines. If a trust should build a plant in every State to supply the wants in that State in order to evade the above-mentioned law, that would do away with many of the offensive features of the combinations. The trusts should certainly give publicity to their operations, and he would favor any methods of dealing with them which could constitutionally be adopted, either under the power to regulate interstate commerce or under the taxing power.

120. The evils of child labor [620]

The most scathing indictment of the "crime" of child labor in the factories, mines, and sweatshops of this country was made by United States Senator Albert J. Beveridge of Indiana in an elaborate speech occupying three sessions of the Senate (January 23, 28, 29, 1907). The speech was in support of an amendment to a bill before the Senate regulating child labor in the District of Columbia, the amendment providing that "no carrier of interstate commerce shall transport or accept for transportation from one State or Territory to any other State or Territory . . . the products of any factory or mine in which children under 14 years of age are employed or permitted to work."[1] In the course of his speech Senator Beveridge cited a great number of cases of child labor described by visitors to mills and mines. We select (*a*) the testimony of Mr. John Spargo on the work of boys in the breakers of the Pennsylvania coal mines; (*b*) that of Miss Irene Ashby on the labor of children in the cotton mills of the South.

[1] Congressional Record, 59th Congress, 2d session, Part II, p. 1552.

(*a*)

According to the census of 1900, there were 25,000 boys under 16 years of age employed in and around the mines and quarries of the United States. In the state of Pennsylvania alone — the state which enslaves more children than any other — there are thousands of little "breaker boys" employed, many of them not more than 9 or 10 years old. The law forbids the employment of children under 14, and the records of the mines generally show that the law is "obeyed." Yet in May, 1905, an investigation by the national child labor committee showed that in one small borough of 7000 population among the boys employed in breakers 35 were 9 years old, 40 were 10, 45 were 11, and 45 were 12 — over 150 boys illegally employed in one section of boy labor in one small town! . . .

Work in the coal breakers is exceedingly hard and dangerous. Crouched over the chutes, the boys sit hour after hour, picking out the pieces of slate and other refuse from the coal as it rushes past to the washers. From the cramped position they have to assume most of them become more or less deformed and bent-backed, like old men. . . . The coal is hard, and accidents to hands, such as cut, broken, or crushed fingers, are common among the boys. Sometimes there is a worse accident. A terrified shriek is heard, and a boy is mangled and torn in the machinery, or disappears in the chute, to be picked out later smothered and dead. Clouds of dust fill the breakers and are inhaled by the boys, laying the foundations for asthma and miner's consumption.

I once stood on a breaker for half an hour and tried to do the work a 12-year old boy was doing day after day, for ten hours at a stretch, for 60 cents a day. The gloom of the breaker appalled me. Outside the sun shone brightly, the air was pellucid, and the birds sang in chorus with the trees and the rivers. Within the breaker there was blackness, clouds of deadly dust enfolded everything, the harsh grinding roar of the machinery and the ceaseless rushing of coal through the chutes filled the ears.

I tried to pick out the pieces of slate from the hurrying stream of coal, often missing them; my hands were bruised and

cut in a few minutes. I was covered from head to foot with coal-dust, and for many hours afterwards I was expectorating some of the small particles of anthracite I had swallowed. I could not do that work and live; but there were boys of 10 and 12 years of age doing it for 50 and 60 cents a day. Some of them had never been inside a school; few of them could read a child's primer. . . . From the breakers the boys graduate to the mine depth, where they become door tenders, switch boys or mule drivers. Here, far below the surface, the work is still more dangerous.

(*b*)

Here are three of them — three of the little slaves of capital, typical of the 20,000 children under 14 now toiling out their lives in the textile mills of the South. Mattie, the little one standing beside me, is 6 years old. She is a spinner. Inside a cotton mill for 12 hours a day she stands in the 4-foot passage-way between the spinning frames where the cotton is spun from coarser into fine threads. As it comes down from the roping above now and then it breaks at some part of the long frame, and her baby fingers join the thread and set the bobbin moving again. From daylight to dark she is in the midst of the ceaseless throb and racket of machinery. When I first met her it was Christmas eve — the eve of the children's festival, when the whole of Christendom celebrates the birth of the Child whose coming was to bring freedom to mankind, not to speak of freedom to children. She was crying, and when I asked her the reason, said, between her sobs, that she wanted a doll that would open and shut its eyes. "When would you play with it?" I asked the little toiler, whose weary eyelids were ready to close over her tired eyes directly the long day's work was over.

"I should have time a-plenty on Sunday," replied the little slave, whose daily wage of 10 cents helped to swell the family income. There are thousands like her in the South.

Sally is only 9. Look into her worn face; not a trace of childhood's glad *insouciance* about it. It never changes from that fixed expression save when a wan smile crosses it in response to a kind word. For three long years she has done the same

thing that little Mattie is only beginning. A few weeks before this picture was taken she broke down completely with nervous collapse. Continuous work, the hot, unhealthy mill atmosphere, proved too much for her childish brain. She could neither stand nor speak, and her limbs were shaken by convulsive movements. When this picture was taken she was slowly regaining a feeble kind of health, and in a week or two more would be back at her endless toil. There are thousands like her in the South.

I do not know how old Jack is. He does not know himself. He does not know anything except that he has worked ever since he can remember. I think he may be about 11. . . .

This is the horror and wrong which is hidden behind the cold, printed words, "child-labor legislation." These are American children, dragged into mills when scarcely out of their babyhood, without education, without opportunity, being robbed of health, morally and physically; forced to labor as in the days of negro slavery negro children never were. With their baby hands these little slaves are undermining the liberty of the future, not only of the cotton operatives of the South, but of the American working people. . . .

A clerk in a cotton mill told me that little boys turned out at 2 in the morning for some trivial fault, afraid to go home, would beg him to allow them to sleep on the office floor.

In Georgia it is a common sight to see the children of cotton operatives stretched on the bed dressed as they came from the mills in the morning, too weary to do anything but fling themselves down for a rest. . . . Only a few weeks ago I stood at 10.30 at night in a mill in Columbia, S.C., controlled and owned by Northern capital, where children who did not know their own ages were working from 6 P.M. to 6 A.M. without a moment for rest or food, or a single cessation of the maddening racket of the machinery, in an atmosphere insanitary and clouded with humidity and lint.

The physical, mental and moral effects of these long hours of toil and confinement on the children are indescribably sad. Mill children are so stunted that every foreman, as you enter the mill, will tell you that you cannot judge their ages. . . . A doctor in a city mill, who has made a special study of the subject, tells

me that 10 per cent of the children who go to work before 12 years of age, after five years contract active consumption. The lint forms in their lungs a perfect cultivating medium for tuberculosis, while the change from the hot atmosphere of the mill to the chill night or morning air often brings on pneumonia, which frequently, if not the cause of death, is the forerunner of consumption. . . .

The number of accidents to those poor little ones who do not know the danger of machinery is appalling. . . . In one mill city in the South a doctor told a friend that he had personally amputated more than a hundred babies' fingers mangled in the mill. A cotton merchant in Atlanta told me he had frequently seen mill children without fingers or thumb and sometimes without the whole hand. So frequent are these accidents that in some mills applicants for employment have to sign a contract that in case of injury in the mill the company will not be held responsible, and parents or guardians sign for minors. . . .

All holidays are "made up" in South Carolina. A strike occurred in one mill among some organized employees because they were required to make up Labor Day beforehand. They were locked out and starved into submission. In Alabama the children in the mills are required to work Thanksgiving Day. In Georgia a child missing Saturday — a short day — loses one-sixth of her week's wages. The wages paid to these children bear out what I have said in regard to child labor keeping wages low. Many toil for 10 cents a day. The average wage in North Carolina of the children under 14 is 22 cents a day. . . . I know of babies working for 5 and 6 cents a day. . . . In one large mill worked by Northern capital, in Alabama, a widow and three children, aged respectively 12, 9, and 8, worked for 47 cents a day between them. . . .

It is a serious charge to make that the mill owners of the South, a cultured and frequently religious class, are perpetuating this horrible system, but I am afraid there is no doubt of it. I started my investigations with a good deal of sympathy with those captains of industry, who are facing all the risks of the establishment and upbuilding of a great trade. The personal courtesy and kindness many of them showed me almost blinded

me at first to the meaning of their opposition to the enactment of any child-labor law. My sympathy, however, has been worn very thin by the deceptions and evasions to which they lend themselves on this subject. Some, no doubt, honestly believe in the validity of the reasons they advance for child labor — it is so easy to believe a theory very much to our own interest — but the majority know better, especially men from the North and East. . . .

For eighteen months I have acted as the special agent for the American Federation of Labor on child-labor legislation in the Southern States. . . . I visited twenty-four mills in Alabama before the . . . end of January, 1901. The state of affairs I discovered was truly appalling. In every one of these mills there were children under 12 years of age working from 11 to 12 hours a day. Six mills out of the twenty-four had worked within a year at night. In the spinning rooms, brilliantly lighted with electric lights, fitted with the latest machinery, turning out hour after hour the product which is making huge profits, were to be found little children working from dark until long past dawn, kept awake by cold water being dashed into their faces.

121. The platform of the Progressive party, Chicago, August 5, 1912

[616]

The insurgent movement began in the protest of Senator La Follette and a group of reformers in Congress against President Taft, whose "complete surrender to the legislative reactionary program of Aldrich and Cannon and the discredited representatives of special interests who had so long managed congressional legislation, rendered it utterly impossible for the Progressive Republicans of the country to support him for reëlection."[1] In January, 1911, these men formed the National Progressive Republican League. The movement gathered strength rapidly. In April the league decided to enter the contest for the presidential nomination of 1912 with a candidate[2] opposed

[1] Robert M. La Follette, Autobiography, 1913, p. 476.

[2] La Follette, whose "Autobiography" is a full source for the early history of the Progressive movement, was the "logical" candidate, and was publicly indorsed for the presidency by the Progressives in October, 1911. But when Roosevelt, in a speech at Columbus, Ohio, in February,

to Taft. When they failed to get control of the Republican convention at Chicago, in June, 1912, they seceded under Roosevelt's leadership and formed the new Progressive party, which carried seven states and polled 4,123,206 votes at the election in November. The platform of the party, adopted at the convention in Chicago, August 5, 1912, is the best statement of the principles of the radical reformers of the new century.

The conscience of the people in a time of grave national problems has called into being a new party, born of the nation's awakened sense of justice.

We of the Progressive Party here dedicate ourselves to the fulfillment of the duty laid upon us by our fathers to maintain that government of the people, by the people, and for the people, whose foundations they laid.

We hold, with Thomas Jefferson and Abraham Lincoln, that the people are the masters of their Constitution, to fulfill its purposes and to safeguard it from those who, by perversion of its intent, would convert it into an instrument of injustice. In accordance with the needs of each generation the people must use their sovereign powers to establish and maintain equal opportunity and industrial justice, to secure which this government was founded and without which no republic can endure.

This country belongs to the people who inhabit it. Its resources, its business, its institutions, and its laws should be utilized, maintained, or altered in whatever manner will best promote the general interest.[1] It is time to set the public welfare in the first place.

1912, came out for the Progressive program, his greater prestige and popularity carried him to the fore as the standard bearer of the new movement. La Follette's bitter comments on his "demagogism" and "mock heroics" may be read in the "Autobiography," especially pp. 480, 543, 551, 700, 740.

[1] For the most radical proposition for the alteration of the institutions and laws of a state since the foundation of our government, see the plan of Mr. W. S. U'Ren and the Peoples Power League of Oregon outlined in Herbert Croly, Progressive Democracy, pp. 291–302.

Political parties exist to secure responsible government and to execute the will of the people. From these great tasks both the old parties have turned aside. Instead of instruments to promote the general welfare, they have become the tools of corrupt interests which use them impartially to serve their selfish purposes. Behind the ostensible government sits enthroned an invisible government owning no allegiance and alleging no responsibility to the people. To destroy this invisible government, to dissolve the unholy alliance between corrupt business and corrupt politics, is the first task of the statesmanship of the day. . . .

Unhampered by tradition, uncorrupted by power, undismayed by the magnitude of the task, the new party offers itself as the instrument of the people to sweep away old abuses, to build a new and nobler commonwealth. This declaration is our covenant with the people, and we hereby bind the party and its candidates in state and nation to the pledges made herein.

The Progressive Party . . . declares for direct primaries for the nomination of state and national officers, for nation-wide preferential primaries for candidates for the Presidency, for the direct election of United States Senators by the people; and we urge on the states the policy of the short ballot with responsibility to the people secured by the initiative, referendum, and recall. . . .

Up to the limit of the Constitution and later by amendment of the Constitution . . . we advocate bringing under effective national jurisdiction those problems which have expanded beyond the reach of the individual states. It is as grotesque as it is intolerable that the several states should, by unequal laws in matters of common concern, become competing commercial agencies, barter the lives of their children, the health of their women, and the safety and well-being of their working people for the profit of their financial interests. . . .

The Progressive Party, believing that no people can justly claim to be a true democracy which denies political right on account of sex, pledges itself to the task of securing equal suffrage to men and women alike. . . .

The Progressive Party demands such restriction of the power of the courts as shall leave to the people the ultimate authority to determine fundamental questions of social welfare and public policy. To secure this end, it pledges itself to provide: —

(1) That when an act passed under the police power of the state is held unconstitutional under the state constitution by the courts, the people, after an ample interval for deliberation, shall have an opportunity to vote on the question whether they desire the act to become law, notwithstanding such decision.

(2) That every decision of the highest appellate court of a state declaring an act of the legislature unconstitutional on the ground of its violation of the Federal Constitution shall be subject to the same review by the Supreme Court of the United States as is now accorded to decisions sustaining such legislation. . . .

The supreme duty of the nation is the conservation of human resources through an enlightened measure of social and industrial justice. We pledge ourselves to work unceasingly in state and nation for —

Effective legislation looking to the prevention of industrial accidents, occupational diseases, overwork, involuntary unemployment, and other injurious effects incident to modern industry;

The fixing of minimum safety and health standards for the various occupations, and the exercise of the public authority . . . to maintain such standards.

The prohibition of child labor; minimum wage standards for working women; . . . the general prohibition of night work for women, and the establishment of an eight-hour day for women and young persons; one day's rest in seven for all wage-workers; the eight-hour day in continuous twenty-four hour industries; the abolition of the convict contract labor system; publicity as to wages, hours, and conditions of labor; full reports upon industrial accidents and diseases. . . .

The development and prosperity of country life are as important to the people who live in the cities as they are to the farmers. . . . We pledge our party to foster the development

of agricultural credit and coöperation, the teaching of agriculture in schools, the agricultural college extension, the use of mechanical power on the farm. . . .

We favor the union of all the existing agencies of the Federal Government dealing with the public health into a single national health service. . . .

We demand that the test of true prosperity shall be the benefits conferred thereby on all the citizens, not confined to individuals or classes, and that the test of coöperate efficiency shall be the ability better to serve the public. . . .

We therefore demand a strong national regulation of interstate corporations. . . . The existing concentration of vast wealth under a corporate system, unguarded and uncontrolled by the nation, has placed in the hands of a few men enormous, secret, irresponsible power over the daily life of the citizen — a power insufferable in a free government and certain of abuse. . . . We urge the establishment of a strong federal administrative commission of high standing, which shall maintain permanent active supervision over industrial corporations engaged in interstate commerce, doing for them what the Government now does for the national banks, and what is now done for the railroads by the Interstate Commerce Commission. . . .

The natural resources of the nation must be promptly developed and generously used to supply the people's needs, but we cannot allow them to be wasted, exploited, monopolized, or controlled against the general good. . . . Agricultural lands in the national forests are, and should remain, open to the genuine settler. . . . We believe that the remaining forests, coal and oil lands, water powers, and other natural resources . . . be retained by the state or nation, and opened to immediate use under laws which will encourage development and make to the people a moderate return for benefits conferred. . . .

The Panama Canal, built and paid for by the American people, must be used primarily for their benefit. We demand that the canal shall be so operated as to break the transportation monopoly now held and misused by the transcontinental railroads by maintaining sea competition with them, that ships directly or indirectly owned or controlled by American railroad

corporations shall not be permitted to use the canal, and that American ships engaged in coastwise trade shall pay no tolls.

The Progressive Party will favor legislation having for its aim the development of friendship and commerce between the United States and Latin-American nations.

We believe in a protective tariff which shall equalize conditions of competition between the United States and foreign countries, both for the farmer and the manufacturer, and which shall maintain for labor an adequate standard of living. Primarily the benefit of any tariff should be disclosed in the pay envelope of the laborer. We declare that no industry deserves protection which is unfair to labor or which is operating in violation of federal law. . . . We demand tariff revision because the present tariff is unjust to the people of the United States. . . . The Republican organization is in the hands of those who have broken, and cannot again be trusted to keep, the promise of necessary downward revision.[1] The Democratic Party is committed to the destruction of the protective system through a tariff for revenue only — a policy which would inevitably produce wide-spread industrial and commercial disaster. . . .

We believe in a graduated inheritance tax as a national means of equalizing the obligations of holders of property to government, and we hereby pledge our party to enact such a federal law as will tax large inheritances. . . . We favor the ratification of the pending amendment to the Constitution giving the Government power to levy an income tax.[2]

The Progressive Party deplores the survival in our civilization of the barbaric system of warfare among nations, with its enormous waste of resources even in time of peace and the consequent impoverishment of the life of the toiling masses.

We pledge the party to use its best endeavors to substitute judicial and other peaceful means of settling international differences.

[1] This sentence refers to the failure of the Payne-Aldrich Act of 1909 to make any appreciable reduction in the tariff. See Muzzey, An American History, p. 614, note 1.

[2] Incorporated into the Constitution in 1913 as the Sixteenth Amendment.

We favor an international agreement for the limitation of naval forces. Pending such agreement, and as the best means of preserving peace, we pledge ourselves to maintain for the present the policy of building two battleships a year.

We pledge our party to protect the rights of American citizenship at home and abroad. . . . We denounce the fatal policy of indifference and neglect which has left our enormous immigrant population to become the prey of chance and cupidity. We favor governmental action to encourage the distribution of immigrants away from the congested cities, to rigidly supervise all private agencies dealing with them, and to promote their assimilation, education, and advancement. . . .

We pledge ourselves to a wise and just policy of pensioning American soldiers and sailors and their widows and children by the Federal Government. And we approve the policy of the Southern States in granting pensions to the ex-Confederate soldiers and sailors and their wives and children. . . .

We demand not only the enforcement of the Civil Service Act [of 1883] in letter and spirit, but also legislation which will bring under the competitive system postmasters, collectors, marshalls, and all other non-political officers, as well as the enactment of an equitable retirement law, and we also insist upon continuous service during good behavior and efficiency.

We pledge our party to readjustment of the business methods of the National Government and a proper coördination of the federal bureaus which will increase the economy and efficiency of the government service, prevent duplications, and secure better results to the taxpayers for every dollar expended. . . .

On these principles and on the recognized desirability of uniting the progressive forces of the nation into an organization which shall unequivocally represent the progressive spirit and policy we appeal for the support of all American citizens, without regard to previous political affiliations.

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